S. Hrg. 98-190

COLUMBIA RIVER GORGE ACT OF 1983

HEARING

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS AND RESERVED WATER

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

FIRST SESSION

ON

S. 627

A BILL TO AUTHORIZE THE ESTABLISHMENT OF A NATIONAL SCENIC AREA TO ASSURE THE PROTECTION, DEVELOPMENT, CONSERVATION, AND ENHANCEMENT OF THE SCENIC, NATURAL, CULTURAL, AND OTHER RESOURCE VALUES OF THE COLUMBIA RIVER GORGE IN THE STATES OF OREGON AND WASHINGTON, TO ESTABLISH NATIONAL POLICIES TO ASSIST IN THE FURTHERANCE OF THIS OBJECTIVE, AND FOR OTHER PURPOSES

PORTLAND, OREG., MARCH 25, 1983

Printed for the use of the
Committee on Energy and Natural Resources

U.S. GOVERNMENT PRINTING OFFICE
23-073 O WASHINGTON : 1983

S311-49

COMMITTEE ON ENERGY AND NATURAL RESOURCES

JAMES A. McCLURE, Idaho, *Chairman*

MARK O. HATFIELD, Oregon
LOWELL P. WEICKER, Jr., Connecticut
PETE V. DOMENICI, New Mexico
MALCOLM WALLOP, Wyoming
JOHN W. WARNER, Virginia
FRANK H. MURKOWSKI, Alaska
DON NICKLES, Oklahoma
CHIC HECHT, Nevada
JOHN H. CHAFEE, Rhode Island
JOHN HEINZ, Pennsylvania

J. BENNETT JOHNSTON, Louisiana
HENRY M. JACKSON, Washington
DALE BUMPERS, Arkansas
WENDELL H. FORD, Kentucky
HOWARD M. METZENBAUM, Ohio
SPARK M. MATSUNAGA, Hawaii
JOHN MELCHER, Montana
PAUL E. TSONGAS, Massachusetts
BILL BRADLEY, New Jersey

MICHAEL D. HATHAWAY, *Staff Director*
CHARLES A. TRABANDT, *Chief Counsel*
D. MICHAEL HARVEY, *Chief Counsel for the Minority*

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

MALCOLM WALLOP, Wyoming, *Chairman*

MARK O. HATFIELD, Oregon
CHIC HECHT, Nevada
JOHN H. CHAFEE, Rhode Island
PETE V. DOMENICI, New Mexico

DALE BUMPERS, Arkansas
HENRY M. JACKSON, Washington
SPARK M. MATSUNAGA, Hawaii
JOHN MELCHER, Montana

JAMES A. McCLURE and J. BENNETT JOHNSTON are Ex Officio Members of the Subcommittee

TONY BEVINETTO, *Professional Staff Member*

CONTENTS

	Page
S. 627	2

STATEMENTS

Atiyeh, Hon. Victor, Governor, State of Oregon	42
Ayers, R. W., business manager, International Brotherhood of Electrical Workers, Local 125	382
Benson, William V., county commissioner, Skamania County, Wash	83
Bishop, Brott, Pendleton Woolen Mills, as presented by Mary Bishop	369
Bishoprick, Stanley, Protect the Gorge Committee	161
Breckel, Jeff, Columbia River Gorge Commissions	53
Brink, Russell C., manager, Port of Cascade Locks	343
Brown, Jack R., regional director, public affairs and communications, Crown Zellerbach	317
Buchanan, Dennis, county executive, Multnomah County, Oreg., as presented by Lorna Stickel	110
Callahan, Ed, county commissioner, Skamania County, Wash	82
Canon, Jim	398
Carpenito, Jim, Washington Association of Realtors	384
Cannard, David L., vice chairman, Friends of the Columbia River Gorge	120
Christianson, Donald, mayor, city of Camas, Wash., on behalf of Camas and Washougal, Wash	62
Chuinard, Dr. E. G., M.D., chairman, Oregon Lewis and Clark Trail Committee	365
Clark, Donald E., Portland, Oreg	161
Dent, Doug	366
Durning, Jean C., Northwest representative, the Wilderness Society	279
Esch, Sherry	380
Evans, Brock, vice president of national issues, National Audubon Society	202
Garwood, Genevieve, Stevenson Co-Ply, Inc., and Columbia Gorge United	208
George, Levi, Columbia River Intertribal Fish Commission	85
Gregg, Philo, district forester, Industrial Forestry Association	305
Hatfield, Hon. Mark O., a U.S. Senator from the State of Oregon	1
Hemingway, Bill, president, Mid-Columbia Marketing	335
Henderson, Bruce, the Sierra Club	292
Hepburn, Jean	383
Herring, Lynn, president, Portland Audubon Society	293
Hobson, Kenneth D., city administrator, city of Cascade Locks, Oreg	101
Holly, Fred, county commissioner, Klickitat County, Wash	84
Hovee, Eric, economic development manager, city of Vancouver, Wash	71
Jensen, Gertrude, Oregon and Washington Columbia River Gorge Commissions	278
Jolley, Russ	417
Karlsson, Eleanor, Columbia Gorge chairperson, Washington Women in Timber	324
King, Joseph, chairman, commerce and economic development committee, house of representatives, State of Washington, as presented by Don Hall	76
Lindberg, Mike, commissioner, city of Portland, Oreg., as presented by Bill Dietz	109
Lindstrom, Stephen R., executive vice president, Pacific Northwest Waterways Association	328
Luce, Charles	363
Montchalin, Yvonne, as presented by Phyllis Clawson	403

Page
Monteith, James, executive director, Oregon Natural Resources Council ... 285
Palmer, Glenn E., county commissioner, Hood River County, Oreg ... 93
Posekany, Dick, timber manager, Frank Lumber Co ... 312
Rayburn, John W., port director, Port of the Dalles ... 342
Rizor, George A., Jr ... 372
Russell, Nancy, chairman, Friends of the Columbia Gorge ... 112
Sams, Eldon, president, board of commissioner, Port of Skamania County, Wash ... 362
Schaefer, Robert, Protect the Gorge Committee, as presented by Carl Mason ... 163
Schock, Rodger A., county commissioner, Hood River County, Oreg ... 100
Stream, Glen, president, Oregon Division, Izaak Walton League of America, Inc ... 286
Tess, John M., Columbia Gorge Hotel ... 367
Vaughn, Thomas, executive director, Oregon Historical Society ... 156
Williams, Chuck, board of directors, Columbia Gorge Coalition ... 139
Wrabeck, Joseph, Columbia Gorge United ... 179
Yee, Bill, Gorge Defense League ... 164
Yeon, John ... 397

APPENDIX

Additional material submitted for the record ... 421

COLUMBIA RIVER GORGE ACT OF 1983

FRIDAY, MARCH 25, 1983

U.S. Senate,
Subcommittee on Public Lands and Reserved Water,
Committee on Energy and Natural Resources,
Portland, Oreg.

The subcommittee met, pursuant to notice, at 9 a.m., in the public auditorium of the Bonneville Power Administration, 1002 NE. Holladay Street, Portland, Oreg., Hon. Mark O. Hatfield, presiding.

Present: Senator Hatfield.

Also present: Tony Bevinetto, professional staff member; and Thomas B. Williams, professional staff member for the minority.

OPENING STATEMENT OF HON. MARK O. HATFIELD, A U.S. SENATOR FROM THE STATE OF OREGON

Senator Hatfield. Good morning. The hearing will please come to order.

Today the Subcommittee on Public Lands and Reserved Water of the Senate Committee on Energy and Natural Resources will hear testimony on S. 627 to authorize the establishment of a scenic area to assure the protection, development, conservation, and enhancement of the scenic, natural, cultural, and other resource values of the Columbia River Gorge in the States of Oregon and Washington, to establish national policies to assist in the furtherance of this objective, and for other purposes.

Without objection, I will place a copy of the bill in the record at this point.

[The text of S. 627 follows:]

98TH CONGRESS
1ST SESSION

S. 627

To authorize the establishment of a national scenic area to assure the protection, development, conservation, and enhancement of the scenic, natural, cultural, and other resource values of the Columbia River Gorge in the States of Oregon and Washington, to establish national policies to assist in the furtherance of this objective, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 1 (legislative day, FEBRUARY 23), 1983

Mr. PACKWOOD (for himself and Mr. HATFIELD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To authorize the establishment of a national scenic area to assure the protection, development, conservation, and enhancement of the scenic, natural, cultural, and other resource values of the Columbia River Gorge in the States of Oregon and Washington, to establish national policies to assist in the furtherance of this objective, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act may be cited as the "Columbia River Gorge Act of 1983".

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Establishment of Area.
Sec. 4. Administration.
Sec. 5. Management plan for Area.
Sec. 6. Interim protection and management.
Sec. 7. Federal activities within the Area.
Sec. 8. Intergovernmental cooperation.
Sec. 9. Enforcement.
Sec. 10. Remedies.
Sec. 11. Judicial review.
Sec. 12. Acquisition.
Sec. 13. Indian treaties.
Sec. 14. Authorization of appropriations.
Sec. 15. Acquisition fund.
Sec. 16. Mitigation of local revenue losses.
Sec. 17. Compliance with Budget Act.

FINDINGS AND PURPOSES

SEC. 2. (a) FINDINGS.—The Congress finds that—

(1) the Columbia River Gorge, located in the State of Oregon and the State of Washington, is a spectacular canyon of compelling and majestic beauty formed by the Columbia River cutting through the Cascade Range and dramatically illustrates natural geologic forces;

(2) the Columbia River Gorge is the historic gateway between the Pacific Ocean and the interior of the North American Continent traveled by Native Americans, explorers, traders, and pioneers, and evidencing human habitation for over 11,000 years, and it remains an area of commercial and economic importance to the region, particularly with respect to navigation, trans-

portation, energy production, fisheries, agriculture, and recreation;

(3) the Columbia River Gorge contains magnificent scenic, natural, and recreational values of national significance, including the cascading all-season waterfalls and an extensive system of hiking trails;

(4) scenic viewpoints, highways, and trails are critical recreation facilities heavily used by residents of the Portland-Vancouver metropolitan area and by visitors from around the Pacific Northwest, the Nation, and the world;

(5) the botanical diversity of the Columbia River Gorge ranging from the sagebrush and grasslands of the East to the lush rain forests of the West, including many threatened and endangered species, is unique, due in part to the diverse climate of the area;

(6) human impact on the landscape of the Columbia River Gorge including Federal hydroelectric power development, interstate highway construction, port and navigation facilities, farms, orchards, forest production, cities, and towns, is intense, but, historically, much of the diverse scenic quality of the gorge has been preserved;

(7) the character of much of the landscape of the Columbia River Gorge has been maintained and en-

hanced by existing rural communities which should be protected and maintained;

(8) the existing scenic, historic, recreational, archeological, and scientific qualities of the Columbia River Gorge are threatened by rapid population growth in the nearby Portland, Oregon-Vancouver, Washington metropolitan area, by uncontrolled development, and by the existence of more than fifty local, State, and Federal jurisdictions and agencies with authority within the Columbia River Gorge;

(9) the existing local, State, and Federal planning and regulatory authorities lack sufficient resources to provide for growth management, develop recreational facilities to serve tourists and residents of the metropolitan areas in close proximity to the Columbia River Gorge, and protect the unique scenic resources of the Columbia River Gorge; and

(10) in order to resolve differences, existing and potential, between the various affected jurisdictions in the State of Oregon and the State of Washington over protection and enhancement of the existing character of the Columbia River Gorge, and in order to protect the scenic and other values of Federal lands and facilities located within the Columbia River Gorge, the Federal Government must form a partnership with State and

local governments in the Columbia River Gorge, and focus final decisionmaking authority in a single arbiter, thereby protecting the gorge's nationally significant scenic, natural, and cultural (including historical, archeological, scientific, recreational, and social) resources.

(b) PURPOSES.—The purposes of this Act are—

(1) to protect, conserve, and enhance the scenic, natural, cultural, and other resource values of existing Federal property located in the Columbia River Gorge, including lands administered by the United States Forest Service, United States Bureau of Land Management, the Army Corps of Engineers, and lands included in the Interstate Highway System;

(2) to protect and enhance all scenic, cultural, and natural resources of the Columbia River Gorge, including sensitive habitats for threatened and endangered species, while providing public use and enjoyment consistent with protecting and preserving these resources;

(3) to protect and preserve the historical and archeological resources of the Columbia River Gorge and, where appropriate, to make these resources more available to the public for educational and scientific purposes;

(4) to protect and perpetuate the economy of the Columbia River Gorge, including but not limited to agriculture, fishing, existing hydroelectric facilities, transportation facilities, and timber utilization, and the character of human habitation, in harmony with the existing visual landscape, and by promoting economic development within the gorge which is consistent with the existing scenic and natural character of the Columbia River Gorge and which promotes public awareness of the historical, cultural, scenic, and natural values of the area and which supports and enhances the economic livelihood of the gorge by encouraging growth to occur in the existing incorporated communities, by recognizing compatible historic economic pursuits, such as farming, grazing, forestry, and orcharding, outside the communities as appropriate to preserve the existing character of the gorge, and by enhancing the potential of the gorge for increased tourism;

(5) to provide for and manage public use and enjoyment of the Columbia River Gorge in a manner consistent with natural resource protection and maintenance of the existing rural landscape, including the establishment, acquisition, maintenance, and operation of public recreation and natural areas and facilities to meet the needs of a growing regional population;

(6) to utilize the land use planning and other powers of local and State governments and existing Federal agencies to further the purposes of this Act and provide Federal assistance in the development and implementation of a single management plan for the Columbia River Gorge; and

(7) to facilitate and effect a partnership among the Federal Government, the State of Oregon, the State of Washington, and local government entities located within the Columbia River Gorge in order to develop and enforce a single management plan for the area which will supplement local and State plans and which will protect and enhance the area's existing character while protecting critical lands and allowing development only when consistent with preservation of existing scenic, natural, and cultural values.

ESTABLISHMENT OF AREA

SEC. 3. (a) ESTABLISHMENT.—In order to carry out the purposes of this Act, the Columbia River Gorge National Scenic Area (hereafter referred to in this Act as the "area") is established as a unit of the national forest system.

(b) MAP AND DESCRIPTION.—(1) The area shall consist of the area within the boundaries generally depicted on the map entitled "Boundary Map, Columbia River Gorge Scenic Area," numbered and dated , which shall be on file and available for public inspection in the offices of the Forest Service, Department of Agriculture, and in the offices of the Regional Commission established pursuant to section 4. As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture (hereinafter referred to in this Act as the "Secretary") shall publish in the Federal Register a map and legal description of the area. Such description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such map and legal description may be made. The boundary shall be subject to adjustment as provided in section 5(b)(7) hereof.

(2) The areas on such map depicted as "critical" herein referred to as "critical lands" shall be treated as the portions of the area which are of critical importance to the protection and preservation of the values of the area for purposes of applying the provisions of this Act.

(3) The incorporated towns and cities of The Dalles, Hood River, White Salmon, Bingen, Cascade Locks, Stevenson, Washougal, Mosier, and North Bonneville, as their boundaries (including any specific urban growth boundary which has been expressly approved by the applicable State) existed on July 1, 1981, shall not be included within the boundaries of the area. If, after July 1, 1981, the boundaries of any of said cities or towns are changed by such city or

town, then the area within such new boundary shall not thereafter be within the boundary of the area, if the boundary change has been approved in the manner to be provided in the management plan as required in section 5(b)(7).

(c) BOUNDARIES OF MOUNT HOOD NATIONAL FOREST.—The boundaries of the Mount Hood National Forest are extended to include all of the lands in the State of Oregon lying within the area as described in accordance with section 3(b) which are not within the national forest boundaries on the date of enactment of this Act.

(d) BOUNDARIES OF GIFFORD PINCHOT NATIONAL FOREST.—The boundaries of the Gifford Pinchot National Forest are extended to include all of the lands in the State of Washington lying within the area as described in accordance with section 3(b) which are not within the national forest boundaries on the date of enactment of this Act.

(e) FOREST SYSTEM REVENUES.—For purposes of any provision of law under which funds are provided to a State or local government on the basis of revenues derived from any unit of the national forest system and notwithstanding subsection (a), the national forest system lands in the State of Oregon which are within the area shall be treated as components of the Mount Hood National Forest and the national forest system lands in the State of Washington which are within the area shall be treated as components of the Gifford Pinchot National Forest.

ADMINISTRATION

SEC. 4. (a) BY THE SECRETARY OF AGRICULTURE.—(1) The area shall be administered by the Secretary of Agriculture, acting through the United States Forest Service, in accordance with this Act and in accordance with the provisions of law generally applicable to units of the national forest system. In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.

(2) The Secretary, acting through the United States Forest Service, shall establish procedures to give all interested Federal agencies, State and local governments, and the public adequate notice and an opportunity to comment upon and participate in the preparation and implementation of plans and programs for the management of the area.

(b) BY THE REGIONAL COMMISSION.—(1) There is hereby established in the Department of Agriculture the Columbia River Gorge National Scenic Area Regional Commission (hereinafter in this Act referred to as the "Regional Commission"). The members of the Regional Commission shall be appointed within ninety days of the enactment of this Act.

(A) One member who resides in each of the following counties: Multnomah County, Oregon; Hood River County, Oregon; Wasco County, Oregon; Clark County, Washington; Skamania County, Washington; and Klickitat County, Washington, to be appointed by the governing body of each of the respective counties.

(B) Two members who reside in the State of Oregon to be appointed by the Governor of the State of Oregon.

(C) Two members who reside in the State of Washington to be appointed by the Governor of the State of Washington.

(D) Three members who have a demonstrated interest in the values to be protected by this Act to be appointed by the Secretary of the Department of Agriculture.

(E) The chief of the Forest Service, Department of Agriculture or his designee, shall serve as an ex officio nonvoting member.

If any county governing body referred to in subparagraph (A) or either Governor referred to in subparagraph (B) or (C) fails to appoint a member of the Commission under subparagraph (A), (B), or (C) within ninety days after the date of the enactment of this Act or within ninety days after the expiration of a member's term from that county or State, the Secretary of

Agriculture may appoint a resident of that county or State to serve as the member from such county or State.

(2) The Regional Commission shall be responsible for the following:

(A) advising and assisting the Chief of the Forest Service in the preparation and development of the management plan and, subject to section 5(e), approving the management plan and any changes in it before adoption by the Secretary;

(B) facilitating communication and coordination among the Federal, State, and local governmental agencies with jurisdiction within the area and facilitating communication with residents and landowners within the area and advising the Secretary on the appropriate Federal role in the management and administration of the area;

(C) reviewing and monitoring the implementation of the management plan by Federal, State, and local governmental agencies having jurisdiction within the area to assist the Secretary in ensuring consistency and compliance with the plan and in order to recommend to the Secretary potential revisions and methods of enforcing the plan;

(D) reviewing all land acquisition proposals submitted by the Secretary in cases involving the potential use of eminent domain as provided in section 12, and submitting timely recommendations or comments to the Secretary with respect to such acquisition before eminent domain is exercised;

(E) reviewing all Federal development projects and plans within the area for consistency with the management plan and submitting recommendations on all such projects to the head of the responsible Federal agency;

(F) preparing an annual report for submission to the Secretary of the Department of Agriculture, the United States Congress, and the Governors of the States of Oregon and Washington advising them of the status of the management plan and its implementation; and

(G) making such other recommendations to the Secretary and Federal, State, and local units of government as the Regional Commission may deem necessary to carry out the purposes of this Act.

(3) Members of the Regional Commission shall be appointed for terms of three years, except that the initial terms for the members shall be as follows:

(A) The member who resides in Multnomah County, Oregon, shall serve for a term of one year, the member who resides in Hood River County, Oregon, shall serve for a term of two years, and the member who resides in Wasco County, Oregon, shall serve for a term of three years. The member who resides in Clark County, Washington, shall serve for a term of one year, the member who resides in Skamania County, Washington, shall serve for a term of two years, and the member who resides in Klickitat County, Washington, shall serve for a term of three years.

(B) One of the members nominated by the Governor of Oregon shall serve for two years and the other such member for three years. One of the members nominated by the Governor of Washington shall serve for two years and the other such member for three years.

(C) One of the members nominated by the Secretary shall serve for one year, one of such members shall serve for two years, and the third such member shall serve for three years.

A member may be reappointed only once unless such member was originally appointed to fill a vacancy pursuant to subsection (b)(4) of this section, in which case a member may be reappointed twice.

(4) Any vacancy in the Regional Commission shall be filled in the same manner in which the original appointment

was made. Any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. Any member may serve after the expiration of his term for a period not longer than thirty days.

(5) The presiding officer of the Regional Commission shall be elected annually by the members of the Regional Commission and shall serve for a term of one year. No member may serve as presiding officer for consecutive terms, and no member may serve as presiding officer if his predecessor as presiding officer was appointed to the Regional Commission by the same official or governing body.

(6) The Commission shall meet at least once each quarter and, to the maximum extent practicable, all meetings of the Regional Commission shall take place within the counties having any jurisdiction in the area.

(7) Unless otherwise provided, the Regional Commission shall act or advise by affirmative vote of a majority of its members, but a lesser number may hold hearings.

(8) The Regional Commission may for the purpose of carrying out its functions hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Regional Commission may deem advisable. The Regional Commission may administer oaths or affirmations to witnesses appearing before it.

(9)(A) Members of the Regional Commission who are full time officers or employees of the United States, the State of Oregon, the State of Washington, or any county referred to in subsection (b)(1)(A) shall receive no additional pay on account of their service on the Regional Commission.

(B) Except as provided in subparagraph (A), members of the Regional Commission shall serve without pay. While away from their homes or regular places of business in the performance of service for the Regional Commission, members of the Regional Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Federal Government service under section 5703 of title 5 of the United States Code.

(10) The Secretary shall provide the Regional Commission with such staff and technical assistance as the Secretary, after consultation with the Regional Commission, considers appropriate to enable the Regional Commission to carry out its duties.

(11) Upon request of the Secretary, any Federal agency may provide information, personnel, property, and services on a reimbursable basis, to the Regional Commission to assist it in carrying out its duties under this Act.

(12) In carrying out the purposes of this Act, the Secretary and the Regional Commission shall involve the public

and local, State, and Federal Government agencies to the fullest extent possible in making decisions by consulting with interested and concerned citizens and conducting public hearings at places within counties having jurisdiction in the area in order to provide such citizens with an opportunity to testify regarding the development, implementation, and enforcement of the management plan.

(13) Actions taken and orders issued by the Regional Commission shall be subject to the provisions of subchapter II of chapter 5 and chapter 7 of title 5, United States Code (5 U.S.C. 551 et seq.; 5 U.S.C. 701 et seq.).

MANAGEMENT PLAN FOR AREA

SEC. 5. (a) PREPARATION.—The Chief of the Forest Service shall prepare a management plan for the area with the consultation and advice of the Regional Commission in order to accomplish the purposes of this Act. The management plan shall be prepared by an interdisciplinary planning team selected by the Chief of the Forest Service. In the preparation of the management plan the Regional Commission and the Forest Service shall hold public meetings to inform residents within the area, State and local governments, Federal agencies, and other interested parties of the provisions of this Act, the objectives of the management plan, the actions to be undertaken in the preparation of the management plan, the time when such actions are proposed to be taken, and to provide interested persons and agencies with an opportunity to express their views with respect to matters covered to be by the management plan. The management plan shall be submitted to the Regional Commission by the Chief of the U.S. Forest Service within two years from the effective date of this Act.

(b) CONTENT.—The management plan shall—

(1) be based upon an inventory of the area's resources including archeological, social, economic, forest, historical, natural, geological, recreational, and scenic values;

(2) protect, maintain, and enhance the scenic, natural, and cultural values of the area. The management plan shall also include provisions for resource protection, interpretation, and visitor use, including development of public use areas and facilities;

(3) designate appropriate uses of all lands within the area in order to achieve the purposes of this Act;

(4) establish procedures for the review of changes in State-approved urban growth boundaries within the area for incorporated communities, and boundaries of cities and towns within the area, for the purpose of determining whether areas within such changed boundaries may be approved for exclusion from the boundaries of the area;

(5) review lands designated as critical on the map filed pursuant to section 3(b)(2) and all other lands within the area in order to identify, for purposes of the management plan, lands which are critical to the protection, development, and interpretation of the resource values of the area including: (A) those lands whose existence in a natural state is essential to protect the scenic and natural value of the area; (B) those lands whose essential character should remain unchanged in order to retain the harmonious blend of manmade and natural landscape features; (C) those lands whose present, or presently planned, use is adverse to values which this Act seeks to protect and enhance; and (D) those lands necessary to provide recreational and interpretive facilities and access to public lands for visitors to the area;

(6) recommend transfers of jurisdiction for existing publicly owned land if advisable to achieve the purposes of this Act and determine appropriate management agencies for such lands;

(7) provide a mechanism for examining and making minor changes in the exterior boundaries of the area and for revising and amending the management plan as necessary to achieve the purposes of this Act: *Provided, however*, That any changes in the exterior

boundaries of the area shall not result in an aggregate increase in the acreage of the area, as initially established, within any county that has jurisdiction in the area;

(8) encourage private individuals and local governments to use or plan the use of land within the area in ways which will be consistent with and facilitate the achievement of the purposes of this Act;

(9) allow all existing land uses of specific tracts of land in the area as of July 1, 1981, which are found to be consistent with the purposes of this Act;

(10) develop procedures to coordinate existing land use plans of local, State, and Federal entities with the management plan to promote the goals and policies of the management plan; and

(11) establish a program for State and local government implementation and enforcement of the management plan to insure the continued, uniform, and consistent protection of the area in accordance with the purposes of this Act.

(c) FEDERAL, STATE, AND LOCAL ADVICE.—The Chief of the Forest Service shall periodically advise the Regional Commission of progress on the plan and shall seek the advice of the Regional Commission. The Chief of the Forest Service shall consult with the interdisciplinary planning team, the Regional Commission, and residents of the area and other interested citizens in the preparation of the management plan. The Secretary may utilize personnel from State and local governments in the area with expertise in planning and preparing the management plan by employing them pursuant to the Intergovernmental Personnel Act.

(d) STATE AND LOCAL PLANNING.—(1) During the preparation of the management plan, and thereafter, the Secretary shall consult with State and local government authorities within the area and may provide financial and technical assistance to such authorities to carry out any land use management activity within the area or any other activity within the area which the Secretary, in consultation with the Regional Commission, determines will further the purposes of this Act.

(2)(A) In the development of the management plan, the Secretary shall examine all State and local policies, management plans, standards, and requirements applicable to the area and shall, with the consultation and advice of the Regional Commission, to the extent the Secretary deems practicable and consistent with the purposes of this Act, incorporate such policies, management plans, standards, and requirements into the management plan.

(B) In consultation with the appropriate State and local authorities, the Secretary shall seek to identify conflicts or inconsistencies between the policies, management plans, standards, and requirements referred to in subparagraph (A) and the proposed management plan in order to encourage consistent planning efforts. Following adoption of the management plan the Secretary, with the consultation and advice of the Regional Commission, shall continue to identify any such conflicts or inconsistencies which arise due to amendments or proposed amendments to the management plan or due to changes or proposed changes in such State or local policies, plans, standards, and requirements in order to avoid inconsistent planning efforts.

(e) APPROVAL.—(1) Upon completion of the management plan by the interdisciplinary team, it shall be submitted to the Regional Commission for approval. The Regional Commission or its designated representatives shall hold public hearings before it votes on the question of approving the management plan, at least one of which shall be held in each county with in which any portion of the area is located.

(2) The Regional Commission shall consider and vote on the question of approving the management plan within one hundred and eighty days of its submission. If a majority of the Regional Commission's members vote to approve the management plan, the management plan shall be adopted by the Secretary. If a majority of the Regional Commission's members vote to disapprove of the management plan, the

management plan shall be submitted to the Secretary. The Regional Commission shall specify all of its objections to the management plan prepared by the interdisciplinary team.

(3) The Secretary shall consider the objections of the Regional Commission to the management plan. The Secretary may modify the management plan to respond to the objections of the Regional Commission, provided such modifications are consistent with the purposes of this Act.

(4) The Secretary shall submit the management plan to the Regional Commission, with whatever modifications he may have made, within ninety days of the Regional Commission's vote to disapprove of the management plan.

(5) If the Regional Commission does not approve all or any part of the management plan within ninety days of its resubmission, the Secretary may, without approval by the Regional Commission, adopt the management plan as resubmitted or after eliminating any of the parts of the management plan disapproved by the Regional Commission.

(6) The management plan, and any modification thereof, shall be published in a newspaper of general circulation in the area promptly following its adoption.

(f) REQUESTS FOR AMENDMENT OR VARIANCE.—Petitions for amendments to or variances from the management plan may be submitted to the Secretary by local government authorities or by any other person. In considering such petitions, the Secretary, after notice and at least one public hearing by the Secretary and the Regional Commission, shall, on the basis of the testimony and any written recommendations presented at such hearing and the Regional Commission's recommendation, determine whether or not to modify the management plan. The notice required by this section shall be given at least twenty days prior to the public hearing by publication at least once in a newspaper of general circulation in the area. If a petition is filed, the Secretary shall, if requested by the petitioner, complete his action on such petition within sixty days after the receipt by the Secretary of a complete petition (determined according to standards prescribed by the Secretary).

INTERIM PROTECTION AND MANAGEMENT

SEC. 6. (a) MORATORIUM ON NEW USES IN CRITICAL LANDS.—Pending the adoption of interim guidelines pursuant to subsection (b), no person may construct or modify any new building or facility or reconstruct or substantially modify any existing building or facility in any portion of the area designated as critical on the map filed pursuant to section 3(b)(2). However, reconstruction of transportation facilities shall be exempted from this section under specific emergency conditions including, but not limited to slides, washouts, and accidents.

(b) FOREST SERVICE GUIDELINES.—Not later than six months after the date of the enactment of this Act, the Secretary, with the advice of the Regional Commission and the Chief of the Forest Service, shall adopt and publish interim standards and guidelines governing all land use activities within the area to protect the resources of the area; until the management plan is adopted.

(c) PURPOSE OF INTERIM GUIDELINES.—The purpose of such interim standards and guidelines shall be to protect the area from—

(1) actions which significantly detract from the current visual quality and diversity of the area;

(2) actions which significantly alter the balance of natural and manmade landscape features visible from Washington Highway 14, Interstate Highway 84, Oregon Highway 30, or existing viewpoints managed for public enjoyment;

(3) actions within any portion of the area designated as critical on the map filed pursuant to section 4(c); and

(4) any other actions which damage the resource values this Act is designed to protect.

(d) SPECIFICITY AND REVISION OF GUIDELINES.—Such interim standards and guidelines shall be as detailed and specific as is required to accomplish their objectives and purposes and may be revised or amended to accomplish such objectives and purposes.

FEDERAL ACTIVITIES WITHIN THE AREA

SEC. 7. (a) JURISDICTION.—Lands and waters located within the area which are under the administrative jurisdiction of any department or agency of the United States shall remain under such administrative jurisdiction unless jurisdiction is transferred pursuant to section 5(b)(6).

(b) PROJECTS.—(1) No department, agency, or instrumentality of the United States may undertake or assist any project or grant any license, permit, or other form of approval for any project within the area unless the Secretary, in consultation with the Regional Commission, determines that the project is consistent with the purposes of this Act and with the management plan or the interim guidelines, or that such project is essential for the protection of public health or safety or necessary for national security or defense.

(2) As used in paragraph (1), the term "assist" includes—

(A) the sale of any flood insurance under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.);

(B) any assistance provided by a department, agency, or instrumentality of the United States to a State or local government where such State or local government uses such assistance for purposes of a project described in paragraph (1); and

(C) any grant, loan, loan guarantee, or any other form of direct or indirect technical or financial assistance.

(c) EXEMPTIONS.—(1) Except as may otherwise be provided in the interim guidelines or the management plan, subsection (b) shall not apply to—

(A) any building or facility to be used for any military purpose;

(B) any temporary structure to be used only for emergency humanitarian assistance;

(C) any construction, reconstruction, or modification of which commenced before the date of the enactment of this Act; or

(D) any repair or reconstruction of a building or facility the original construction of which commenced before such date of enactment.

(2) Construction, reconstruction, or modification shall be treated as commencing only when there is either—

(A) a continuous program of physical onsite construction, reconstruction, or modification, or

(B) the owner of the building or facility has entered into binding agreements or contractual obligations for such construction, reconstruction, or modification which cannot be canceled or modified without substantial loss to the owner.

(d) PROCESS.—Not less than sixty days prior to undertaking or assisting a project or granting any license, permit, or other form of approval for any project within the area, the department, agency, or instrumentality of the United States proposing to take such action shall notify the Secretary and the Commission of its proposal. The Secretary, in consultation with the Commission, shall, after notice and opportunity for public comment, make a determination respecting the consistency of any activity described in subsection (b) with the purposes of this Act and with the management plan or interim guidelines and standards. When the Secretary determines that any activity is consistent or inconsistent with the purposes of this section or with the plan, it shall notify the agency proposing to undertake, assist, license, or approve the activity.

INTERGOVERNMENTAL COOPERATION

SEC. 8. (a) RETENTION OF STATE AND LOCAL JURISDICTION.—Nothing in this Act shall diminish, enlarge, or modify any right of the State of Oregon or the State of Washington, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the area.

(b) HUNTING AND FISHING.—The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the area in accordance with applicable laws of the United States and the State of Oregon and the State of Washington. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and wildlife department.

(c) RETENTION OF FEDERAL JURISDICTION.—Nothing in this section shall be construed to limit or prohibit any Federal action ordered by a court of competent jurisdiction or directed by a Federal agency for the protection of public health or safety, or for national defense.

(d) STATE AND LOCAL CONCURRENT POWER TO LEGISLATE.—Nothing in this Act shall be construed to prevent the adoption or implementation by any State or local government of any rule, regulation, or provision of law which is consistent with, or more stringent than, any provision of this Act or of the management plan adopted pursuant to this Act.

ENFORCEMENT

SEC. 9. (a) ENFORCEMENT OF INTERIM STANDARDS.—Prior to the adoption of the management plan, the Secretary shall monitor all land use activities within the area to ensure that said activities do not violate the interim standards and guidelines. The Secretary shall participate in State and local land use proceedings as necessary to advise said government entities whether or not proposed activities are consistent with the interim standards and guidelines. If the Secretary determines that a proposed activity is inconsistent with the interim standards and guidelines, he shall seek relief pursuant to section 10.

(b) ENFORCEMENT OF MANAGEMENT PLAN BY LOCAL GOVERNMENT.—(1) Following the adoption of the management plan, each local government entity within the area which has land use planning authority under State law and which wishes to assume responsibility for enforcement of the management plan within its boundaries shall submit to the Secretary and the Regional Commission a land use plan which demonstrates that such local government entity intends to and is capable of carrying out the provisions of this Act.

(2) Any local government seeking to assume responsibility under this section shall adopt a zoning ordinance which—

(A) protects and preserves critical lands and the resource values of the area consistent with the management plan; and

(B) provides sanctions for violation of the terms of such ordinance including civil and criminal actions, withholding of permits, and issuance of cease-and-desist orders.

(3) No local land use plan shall be approved unless the plan demonstrates that the local government has a planning staff with sufficient administrative and technical personnel and sufficient funding to enable the local government to regulate land use activities in accordance with the purposes of this Act and the management plan.

(4) The Secretary, with the advice of the Regional Commission, shall review and approve or disapprove a local use plan within six full calendar months after the plan is submitted to him. The Secretary is authorized to make annual grants to any local government entity for the purpose of assisting such entity in developing, administering, and enforcing land use plans under this Act.

(c) ENFORCEMENT OF MANAGEMENT PLAN BY SECRETARY.—The management plan shall be enforced by the Secretary utilizing the remedies provided in section 10 if—

(1) the local land use plan is disapproved;

(2) no local plan is submitted to the Secretary; or

(3) an approved local plan fails to be enforced in accordance with this Act.

REMEDIES

SEC. 10. (a) PROHIBITION ON INCONSISTENT USES.—The use or development of any lands within the area contrary to this Act is unlawful and prohibited.

(b) VIOLATION OF ACT.—Any person who knowingly and willfully violates any regulation or order which is lawfully issued pursuant to this Act shall be fined no more than $10,000 or imprisoned no more than twelve months, or both. Any person charged with a violation of such regulation may be tried and sentenced by any United States magistrate designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions and limitations as provided for in section 3401 of title 18 of the United States Code.

(c) CIVIL ACTION TO ENFORCE ACT.—At the request of the Secretary, the Attorney General may institute a civil action in any United States district court for an injunction or other appropriate order to prevent any person from utilizing lands within the area in violation of the management plan, regulations, guidelines, or standards issued by the Secretary under this Act.

(d) NOTIFICATION TO VIOLATOR AND HEARING.—If the Secretary determines under section 9 that any person is in violation of the management plan, regulations, guidelines, or standards issued under this Act, he shall promptly notify the person of the violation. Such person may then request a hearing on the record before the Secretary to determine whether a violation has occurred. Following such hearing the Secretary shall set forth his findings and conclusions and any proposed, intermediate, or final order.

JUDICIAL REVIEW

SEC. 11. (a) PETITION OF APPEAL.—Any person adversely affected by any final action or order of the Secretary under this Act may appeal such action or order by filing in any of the courts specified in subsection (b), within sixty days after the date of service of such order or within sixty days after such action is taken, a written petition requesting that the order of the Secretary be modified, terminated, or set aside.

(b) APPELLATE JURISDICTION.—The United States District Court for the District of Columbia, or any United States district court located in the State of Oregon or the State of Washington which has jurisdiction of actions occurring in or affecting the area shall be appropriate courts for appeal pursuant to subsection (a).

ACQUISITION

SEC. 12. (a) ACQUISITION AUTHORIZATION.—(1) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, bequest, or otherwise any lands, or lesser interests therein, including scenic and conservation easements ("scenic easements"), which he determines are needed to achieve the purposes of this Act.

(2) The Secretary may acquire without the consent of the owner only lands, or interests therein, classified as critical lands under the management plan or designated as such on the map filed pursuant to section 3(b)(2). No such lands or interests which, on July 1, 1981, were primarily used for single family residential purposes, farming, or grazing may be acquired without the consent of the owner as long as the existing character of that use is not substantially changed.

(3) The Secretary, in consultation with the Regional Commission, shall publish, within one hundred and eighty days of the enactment of this Act, guidelines which shall be used by him to determine what constitutes a substantial change in the land use or maintenance for nonfederally owned lands within the area.

(4) Where the Secretary is authorized above in this section to acquire land or interests therein, without the consent of the owner, he shall—

(A) do so only in cases where, in his judgment, all reasonable efforts to acquire such lands, or interests therein, by negotiation have failed;

(B) acquire only such land, or interests therein, as, in his judgment, is reasonably necessary to accomplish the purposes of this Act; and

(C) no more than 10 per centum of the total acreage of the area shall be acquired by condemnation.

(5) The Secretary shall notify the Regional Commission of his intent to acquire land or interests therein, without the consent of the owner, and within three months of such notification, the Regional Commission shall submit its recommendations and comments on the intended acquisition to the Secretary for consideration.

(b) CONSIDERATION OF AREA LANDOWNER OFFERS.—The Secretary shall give prompt and careful consideration to any offer made by a person owning land within the area to sell such land to the United States. The Secretary shall specifically consider any hardship to such person which might result from an undue delay in acquiring his property.

(c) LAND EXCHANGE.—(1) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property, or interests therein, located within the area.

(2) Notwithstanding any other provision of law, the Secretary may convey in exchange for land in the State of Oregon any federally owned property within the State of Oregon, and he may convey in exchange for land in the State of Washington any federally owned property within the State of Washington, which he classifies as suitable for exchange and which is under his administrative jurisdiction. The values

of the properties exchanged pursuant to this paragraph shall be approximately equal or, if they are not approximately equal, they shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. In the exercise of his exchange authority, the Secretary may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(d) ACQUISITION OF STATE LAND.—Any land or interest in land owned by the State of Oregon or the State of Washington or any of their political subdivisions may be acquired only by donation or exchange.

(e) TRANSFER OF FEDERAL PROPERTY TO SECRETARY.—Notwithstanding any other provision of law, any Federal property located within the area may, with the concurrence of the agency having jurisdiction over such property, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the area shall become parts of the area.

(f) DISPOSITION OF ACQUIRED PROPERTY.—Any property acquired under this section shall, in the discretion of the Secretary be—

(1) transferred to the administrative jurisdiction of the National Forest Service for inclusion in the nation-

al forest system and administration in accordance with section 4(a); or

(2) sold for fair market value subject to such reservations, terms, and conditions as will assure the use of such property in a manner consistent with the plan.

The proceeds of any sale shall be credited to the appropriation account from which funds were made available for the purchase thereof.

INDIAN TREATIES

SEC. 13. Nothing in this Act shall be construed to alter, amend, repeal, interpret, modify, or conflict with any treaty or other right of an Indian tribe.

AUTHORIZATION OF APPROPRIATIONS

SEC. 14. (a) AUTHORIZATION.—There is authorized to be appropriated such sums as may be necessary to carry out this Act.

(b) LAND AND WATER FUND.—Sums appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein within the area.

ACQUISITION FUND

SEC. 15. (a) ESTABLISHMENT.—There is established an acquisition fund for the acquisition of lands and interests therein within the area. This fund shall be available without fiscal year limitation for expenses necessary for acquiring land and interests therein under section 12 hereof.

(b) INITIAL CAPITAL.—The initial capital of the fund shall consist of appropriations made for that purpose. The Secretary is authorized to make such subsequent transfers to the fund as he deems appropriate in connection with the functions to be carried on through the fund.

(c) APPROPRIATION.—There is hereby authorized to be appropriated a sum not to exceed   as initial capital of the acquisition fund.

(d) DONATIONS.—The Secretary may accept contributions or donations of money, services, and property, real, personal, or mixed, for the management, protection, development, acquisition, and conveying of the lands within the area. Moneys received hereunder shall be credited to the acquisition fund and are hereby authorized to be appropriated and made available until expended, as the Secretary may direct.

MITIGATION OF LOCAL REVENUE LOSSES

SEC. 16. (a) PAYMENTS TO LOCAL GOVERNMENTS.—Whenever the Secretary determines that the acquisition by the Secretary of any interest in real property within the area has the potential effect of significantly increasing property taxes on properties remaining in private ownership, the Secretary may make payments to any local governmental entity affected by such acquisitions to mitigate the loss of property tax revenue resulting from the Federal acquisition to the extent that such payments would be used to amortize bonded indebtedness previously incurred by the political subdivision involved or to pay for the cost of providing essential public services.

(b) CONDITIONS.—If the Secretary determines that payments should be made to political subdivisions under subsection (a), the amount and duration of such payments shall be determined by the Secretary and paid to counties within the jurisdiction of which the lands within the area are located. The counties shall distribute the payments on a proportional basis to those units of local government and affected school districts which have incurred losses of real property taxes due to the acquisition of land or interests therein for addition to either such system. In those cases in which another unit of local government other than the county acts as the collecting and distributing agency for real property taxes, the payments shall be made to such unit of local government, which shall distribute such payments as provided in this subsection. The Secretary may prescribe regulations under which payments may be made to units of local government in any case in which the preceding provisions will not carry out the purposes of this subsection.

COMPLIANCE WITH BUDGET ACT

SEC. 17. No authority under this Act to enter into contracts or to make payments shall be effective except to the extent and in such amounts as provided in advance in appropriation Acts. Any provision of this Act which, directly or indirectly, authorizes the enactment of new budget authority shall be effective only for fiscal years beginning after September 30, 1983.

Senator Hatfield. I personally believe in protection of the Columbia Gorge and I believe there is widespread support to preserve and protect this area. The question is how to do it.

I know there is intense interest in this legislative proposal and other proposals, as well. Many people have requested to testify.

I want to first commend Gov. Victor Atiyeh and Governor Spellman for reaching agreement on a set of principles which speak to the conservation of the resources of the gorge. I look forward to hearing this proposal and plan.

Witnesses are requested to limit their oral testimony to 5 minutes. Your complete written statement will be printed in the hearing record.

If you wish to receive a copy of the printed record, please print your name and address on the labels at the table in the back of the room. A copy of the hearing record will be sent to you in a few months.

The hearing record will remain open for 2 weeks after today, and those who wish to submit testimony may do so through my Portland office at 114 Pioneer Courthouse, or to the Subcommittee on Public Lands and Reserved Water, room SD-366, Dirksen Senate Office Building, Washington, D.C.

I might say that Senator Robert Packwood, my colleague from Oregon, held a hearing earlier on this subject as a member of the Commerce Committee, and Senator Slade Gorton of the State of Washington will have a hearing in Vancouver after this hearing. So, we will have had three hearings.

There are many people who wish to testify. I wish that we could accommodate every person. But, it is physically, literally impossible to do so. So, we have asked that those who have not been able to be included in the panels here for this morning's hearing, and this afternoon, to feel free, and know that we welcome your testimony in writing; and it, too, will be incorporated in the record whether or not you have been able to appear in person.

We are assisted this morning by Tony Bevinetto, on my right, who is a staff member of the subcommittee; and Mr. Tom Williams, on my far left, who is a member of the staff of the subcommittee; and, by Tom Imeson, from my office here in Portland, who has worked directly with many of you on this hearing and on this subject.

Our first witness this morning is Hon. Victor Atiyeh, Governor of the State of Oregon. Governor Atiyeh, it's a great pleasure to welcome you this morning. The time constraint doesn't apply to the Governor.

Although I know the Governor has many important matters of state to take care of in Salem, and probably wishes to rush back to Salem.

STATEMENT OF HON. VICTOR ATIYEH, GOVERNOR, STATE OF OREGON

Governor Atiyeh. Thank you, Mr. Chairman.

I was glad to hear you say what you just said because I knew what I was going to say would take more than 5 minutes.

Let me start, Mr. Chairman, by saying to you that I've been in communication with Governor Spellman's office in regard to this hearing, and just this morning received word that he was unable to make it; but—and I think this is important, Mr. Chairman—he said that I could speak for him.

I think that's in the spirit of my testimony, that I'm pleased to tell you what I just have.

I appreciate the opportunity to meet with you, and believe truly that this is very timely in our ongoing efforts to protect and manage the priceless resources of the Columbia River Gorge.

Ten days ago Governor Spellman and I signed an unprecedented agreement, setting forth principles and key elements that we believe must be reflected in Federal legislation for the management of the gorge. Mr. Chairman, that agreement between two sitting Governors is historic.

It's historic because for the very first time both States are now on record in support of the overall objective of preserving and managing a tremendous natural and scenic resource. It's historic because our support has been embodied in 22 principles and 8 key elements that provide, for the first time, broadly based and solid framework for the resolution of long-standing concerns about the management of the gorge resources.

The linchpin of the agreement is our endorsement of a new congressionally-created, joint State-Federal management entity. The entity is charged with developing a binding management plan which will consider the gorge as one indivisible unit covering the two States.

Both the management entity and the management plan must involve a real partnership between interests of all levels of government in the gorge. Goals and guidelines must be publicly developed and must include full commitments to preserve and protect the beauty of the gorge, while at the same time encouraging appropriate economic activity amid existing and historical uses.

Through our joint endorsement of this approach, Governor Spellman and I believe that the interests of all affected parties have, at last, been brought together; and, a means has finally been found to go beyond the discussion stage—to the drafting of legislation that can truly be supported on both sides of the Columbia River.

Mr. Chairman, I would ask that the full text of our joint statement be added to and made a part of the official record. But, I'd like to reiterate for the record some of the key principles embodied in our recommendation.

Senator HATFIELD. Without objection, it will be included.

[The joint statement of Governor Atiyeh and Governor Spellman follows:]

JOINT STATEMENT ON THE COLUMBIA RIVER GORGE

March 15, 1983

Attached are principles and key elements that we believe must be reflected in legislation for management of the Columbia River Gorge area. A plan that incorporates these principles and key elements will provide protection and enhancement for the unique natural and scenic qualities of this beautiful area while at the same time recognizing the diverse needs of the people living in the region. The governors of Oregon and Washington have reached the agreement on these principles and key elements after carefully reviewing the situation and after hearing and considering the views of literally hundreds of citizens from within and outside the Gorge area. We believe these principles and key elements will provide a solid framework for resolution of the longstanding concern for the management of the Gorge resources.

We pledge our best efforts to work with our Congressional delegations, our local governments, and other interested parties to draft a bill reflecting these principles and key elements and to work with the Congress and the Administration for passage of the legislation. In the interim, we urge all governmental units to honor the spirit of these principles as they exercise their responsibilities in the Gorge.

John Spellman Governor, State of Washington	Victor Atiyeh Governor, State of Oregon

Gov. Vic Atiyeh
Oregon

Gov. John Spellman
Washington

March 15, 1983

Principles for Legislation on the Management of the Columbia River Gorge

1. Any management entity or plan must consider the Gorge as one indivisible unit covering the two states. The boundaries of the Gorge are those currently designated in statutes of the two states.

2. Any management entity for the Gorge must involve a real partnership between the interest of the Federal, state, and local governments.

3. The management entity will develop goals and guidelines and identify critical areas for the Columbia River Gorge.

4. The management plan must be adopted by a majority of the members from each state.

5. The management plan must include a full commitment to the preservation and protection of the unique natural and scenic beauty of the Gorge.

6. The management plan must encourage the continued vitality of existing municipalities in the Gorge.

7. Existing homes and businesses must be recognized by the management plan.

8. The management plan must support the historical uses of the Gorge as a vital transportation corridor and as an important source of power generation.

9. The management plan should encourage and strengthen economic development efforts in the Gorge that are compatible with the unique natural setting of the area.

10. The management plan should encourage and support current efforts to strengthen the tourist industry in the Gorge.

11. Voting members of the management entity should be drawn from state agencies, local governments, and citizens of both states. The principal Federal agencies in the Gorge, the U.S. Forest Service, Bonneville Power Administration, and the U.S. Corps of Engineers should also be fully represented.

12. In developing a management plan, the management entity, to the fullest extent possible, should use information that has already been developed by the existing Gorge Commissions.

13. The management plan must be subject to extensive public review and comment before adoption.

14. The management plan for the Gorge should be implemented, to the fullest extent possible, by the government entities currently responsible for the functions involved.

15. The management plan for the Gorge must be binding on the operations of all the governments with management responsibilities in the area.

16. The management entity must have enforcement authority to ensure implementation of the management plan in accordance with the goals and objectives of the legislation.

17. An appeals process must be provided for those who may disagree with Federal, state or local decisions or with decisions of the management entity itself regarding the management plan and its implementation.

18. The Federal government should provide adequate financial support for the development and implementation of the management plan and for the purchase of those critical lands which the management entity decides must be acquired.

19. As appropriate, the states should provide financial and technical support to the management entity.

20. Local governments must be provided assistance to help them in their implementation of the plan.

21. The management entity must have the authority to acquire land that it determines is necessary to acquire in order to protect the most critical and fragile areas in the Gorge. The entity must also have the authority to facilitate land trades and to provide other incentives, including less-than-fee acquisition, to encourage preservation and protection of the Gorge.

22. Until adoption of a management plan, we call on Federal, state and local governments to uphold the principles of this document.

Key Elements For Proposed Columbia River Gorge Management Legislation

1. Provide broad policy guidelines:

   To protect the natural, scenic, and cultural resources of the Gorge;

   To minimize adverse environmental impacts arising from both public and private land use activities;

   To support and encourage economic development which is compatible with the protection of the Gorge;

   To develop a unified management plan for public and private lands in the Gorge.

2. Designate the existing boundaries of the Gorge and provide a means of identifying areas of critical importance which require protection through purchase, or exchange, if necessary.

3. Establish a Columbia River Gorge Commission appointed by the Governors of Oregon and Washington. As an example, the Commission could be composed of:

   6 representatives of local government, half from each state
   4 representatives of state government, half from each state
   3 representatives of the key Federal agencies
   10 representatives-at-large, half from each state

4. Empower the Commission:

   To adopt goals and guidelines in a management plan for the protection and development of the Gorge to be implemented by local, state, and Federal agencies;

   To certify local land use plans and ordinances and state and Federal agency management plans and amendments as in compliance with the management plan;

   To accept gifts and grants and to disburse them to local, state, Federal, or private entities to further purposes of the legislation;

   To acquire lands in order to protect areas of critical importance;

   To appoint advisory committees and perform other duties to carry out its responsibilities.

5. Establish a timetable:

   For appointment of the Commission;

   For development and adoption of the Commission's Columbia River Gorge management plan;

   For certification of Federal, state, and local land use and management plans.

6. Establish a procedure for appeals.

7. Require compliance by Federal, state, and local governments.
8. Authorize Federal funding to carry out this legislation and for necessary land acquisition.

What this proposal will do:

Assure long-range and coordinated protection and proper development of the unique resources of the Columbia River Gorge;

Assign the overall responsibility to a new regional agency;

Provide a full opportunity for state and local governmental units and the public to participate in the preparation of the management plan.

Governor **Atiyeh**. Thank you.

One. Any management entity or plan must consider the gorge as one indivisible unit covering the two States. The boundaries of the gorge are those currently designated in statutes of the two States.

Second. Any management entity for the gorge must involve a real partnership between the interests of the Federal, State, and local governments.

Three. The management entity will develop goals and guidelines, and identify critical areas for the Columbia River Gorge.

Four. A management plan must be adopted by a majority of the members of each State.

Five. The management plan must include a full commitment to the preservation and protection of the unique natural and scenic beauty of the gorge.

Six. The management plan must encourage the continued vitality of existing municipalities in the gorge.

Seven. Existing homes and businesses must be recognized by the management plan.

Eight. The management plan must support the historical uses of the gorge as a vital transportation corridor, and as an important source of power generation.

Nine. The management plan should encourage and strengthen economic development efforts in the gorge that are compatible with the unique natural setting of the area.

Ten. The management plan should encourage and support current efforts to strengthen the tourist industry in the gorge.

These, and other principles and key elements, should not be viewed as a rejection of all other approaches. They should be hailed, rather, as a positive step forward.

We reached agreement on the provisions of the joint statement only after reviewing the situation, and after hearing and considering carefully the views of literally hundreds of citizens and interest groups from within and outside the gorge area.

As I'm sure you know, Mr. Chairman, formal discussions on gorge preservation have occurred now and again for more than 40 years. But, agreement has never been reached because of major differences between the two States.

With our joint statement, however, the gap has at last been bridged. We hold in our hands the first successful effort to find common ground and accommodate our differences within a framework that will achieve our overall objectives: Protection, preservation, and sound management of the Columbia River Gorge for generations to come.

Senator, these are objectives that we share with you, and objectives also sought through other legislation presently before Congress. We all have the same ends in view. It's only our means of achieving them that are different.

I believe, on examination, you will agree that a Federal lead agency concept, whatever its merits, simply will not be acceptable to citizens and officials on the Washington side of the river. They want assurances of greater State and local control, and for the first time are prepared to accept binding regional management with Federal participation if they feel their voices can be adequately heard.

The mechanism we propose accomplishes this. It's the first proposal ever put forth that's been able to provide the citizens and officials of Washington with the assurances they need; but, at the same time, preserve our overall objective of a full and binding commitment to preservation.

We thus have before us an opportunity that has never before been ours. We must now act promptly and expeditiously to make this opportunity a reality.

Much can and will be said about the management entity we propose. Let me highlight for you the key issues as we see them.

Above all, we believe that a management entity, under any proposal, must at all times consider the gorge as an indivisible unit. This indivisibility applies to both the management plan and the goals and guidelines that will be developed. Unity of management will reinforce unity of purpose through a gorge area that embraces two States. The unity we propose would be essential if our long-range goals are to be achieved with enthusiastic local participation and encouragement.

Local involvement, in fact, is the key. It's been the key to bringing Washington State to the table after months and years of disagreement; and, it is a key that has unlocked the door and opened the way to a joint solution after countless efforts at unilateral action.

No plan proposed to date has involved the citizens and governments of the communities within the gorge to the extent that our plan proposes. The management entity we recommend will forge a real and lasting partnership of Federal, State, and local interests, with representation from every level of government. With major participation and review by local citizens to assist in drafting a comprehensive management plan, we believe that goals and guidelines will rapidly be written that meet the objectives of all parties.

The principles we bring before you today are a roadmap to meet those objectives, a roadmap that we intend to see promptly translated into a bill for introduction in the Congress.

Senator, the objectives contained in our statement of principles are the same objectives sought by you, by Senator Packwood, and by the remainder of our congressional delegation. But, the critical difference is this: The principles upon which Governor Spellman and I agree represent an approach that has, for the very first time, brought both States to the bargaining table. Despite hard work, long discussions, and the best of intentions, the fact is that prior to 10 days ago the State of Washington had never before officially agreed to anything.

I congratulate Governor Spellman for working as hard as he has to achieve this mutual agreement. I'm personally gratified by his special interest in this matter.

Great visions must always accommodate practical reality. None of us is blind to the plain fact that no proposal, no legislation before the Congress, that seeks to protect the Columbia Gorge will move forward without the support of both States.

Obviously not all questions have been answered in our joint statement, nor did we ever intend that they should be. The document is a beginning, but a beginning at a level never before reached. We've not attempted to answer every question and reconcile every difference, because the document we endorse has proposed a mechanism designed to do exactly that.

That's why it's vital to move forward by building on this document. By proposing a single joint entity instead of a dominant Federal agency, we've preserved our overall objectives, brought the vast majority of affected players together, dissipated the fears of local organizations and property owners, provided the means to keep Washington citizens and officials motivated and encouraged; and, at the same time, insure that the gorge will always be treated as one indivisible unit.

These are no small tasks, but they are some of the many tasks that must be accomplished as a part of a comprehensive, overall effort.

Senator, in that connection, I'd like to call your attention to a smaller, but no less important, project that concerns all of us on the Oregon side of the Columbia River. I refer to our effort to find funding to reconstruct and improve portions of the old Columbia River Scenic Highway.

That highway was designated shortly after the turn of the century to provide motorists with a spectacular vantage of the Columbia River Gorge. It was widely regarded as one of the engineering wonders of the world when it was dedicated in 1916 by President Woodrow Wilson.

Two years ago I asked the Columbia River Gorge Commission to document the highway's significance, and to develop a plan for its future preservation and use. Since that time, commission members, Oregon Department of Transportation staff, and the members of the Historic Preservation League have completed that assignment.

Some $3 to $5 million in needed improvements have now been identified. They include recommendations for maintenance and repair, recreational use of abandoned highway sections, interpretive centers, and major restoration and conservation work.

Senator, I take advantage of you in this hearing to ask that you join us in actively seeking appropriate financial assistance for this important project. Restoration of the historic Columbia River Scenic Highway is truly a worthy companion to our overall efforts to protect and manage the Columbia River Gorge as a whole. With your assistance, we can speed that overall effort along.

The principles and key elements enunciated in our joint agreement will be the key; 10 days ago Governor Spellman and I pledged our best efforts to work with our congressional delegations, our local governments, and other interested parties to draft and win passage of a bill reflecting these principles and key elements. I want to renew that pledge today on behalf of myself and Governor Spellman.

I particularly want to express our gratitude and appreciation to you personally. Your willingness, flexibility, and support have provided us a tremendous boost in seeing this process through to this milestone. You and your staff have been flexible and supportive from the very beginning. I know that Governor Spellman and many others join me in thanking you for your willingness to work together with us to see that a lasting agreement is reached on this matter. It's taken perseverance, vision, and hard work to make possible the principles upon which both Governors have agreed. It's in that spirit that we believe our vision, with your help, will become a reality. The reality will be a priceless Columbia River Gorge that's protected during our lifetime, and for many lifetimes to come.

Thank you, Mr. Chairman.

Senator HATFIELD. Thank you, Governor Atiyeh. It's a very thoughtful statement that you have presented this morning, and I want to commend you and Governor Spellman for your very great help in furthering this issue. I intend to look very carefully into your joint proposal and see how it can be developed into legislative form, and I want to work with you on this.

I would only like to pose one question to you this morning, and that is, How would you handle the critical areas while a plan is being developed?

Governor ATIYEH. In our statement of 10 days ago, we asked that the bodies within the gorge observe the principles that we enunciated. That's the extent of what we can do at the present time.

Since that time, at least on the Oregon side, Mr. Chairman, the local officials have looked at our plans. One of the county commissions has been unanimously supportive of these goals and guidelines. So, we are working within ourselves on the Oregon side.

I would say to you that one of the elements of our proposal is not to intimidate people on either side of the river, not to back them into a corner from which no resolution can come.

Right after the press conference, and since, we talked with the county commissioners in the area, we talked to the gorge commissioners on both sides, we have met with your staff and other congressional delegations' staffs.

So, all we can do right now, Mr. Chairman, is look to the good intents of the people there. I must tell you that no one disagrees that something should be done. And I am not making a presumption—I am not at all making a presumption—that the people who live in the gorge area do not want to rape it. I believe they really do want, and they're just as concerned as we are. What they're concerned with, however, is how we get there.

Senator HATFIELD. So, you would rely upon persuasion——

Governor ATIYEH. Persuasion and good faith——

Senator HATFIELD [continuing]. To maintain these critical areas?

Governor ATIYEH [continuing]. Between now and a couple of months from now when Congress passes it.

Senator HATFIELD. Well, thank you again, Governor Atiyeh. As you know, we have appropriated money for the consolidation of all the Bonneville offices outside of this building to construct a new building. I want to assure you that I'm going to personally inject myself into the design of that new building to provide for a public hearing room of some kind of appropriate configuration. In the meantime, I'm going to declare a short recess, and we're going to try to remodel this room at this time. So, thank you again for coming. As soon as we can get these tables reorganized somehow, so I'm not looking down the barrel at the witnesses, or feel like somehow I'm the "inquisition" sitting up here, with the poor shackled people down there, we're going to try to make a different arrangement here.

Thank you very much, Governor Atiyeh.

Governor ATIYEH. Thank you very much, Senator. [Applause.]

[Short recess.]

Senator HATFIELD. Ladies and gentlemen, we will now continue the hearing.

Before we turn to the next witness, could we clear one of the rows down here, or at least get people down here in this area? I'd like to have the first panel begin to be ready.

Donald Christianson, representative of the city of Camas; Joseph King, Ed Callahan, William Benson, and Fred Holly; if they can sort of get themselves grouped down here near the front, so they may move up quickly to the witness table as soon as we get ready for them.

Now, we have invited Mr. Jeff Breckel of the Columbia River Gorge Commissions for his testimony. Welcome, Mr. Breckel; you may proceed on your time allotment.

STATEMENT OF JEFF BRECKEL, COLUMBIA RIVER GORGE COMMISSIONS

Mr. **Breckel**. Thank you, Senator.

At the outset, I think I must say that the Columbia River Gorge Commissions are greatly encouraged by the joint commitment that's been made by Governor Spellman and Governor Atiyeh. As you may know, since their creation by the State legislatures, it's been the mission of the Columbia River Gorge Commissions to work for the protection, preservation, and enhancement of the region's scenic, natural, and cultural values. It has been with little fanfare and few headlines that the commissions have worked for many years as an advisory body to help insure that these values will be maintained for the public enjoyment, recreation, and education. We now feel that a clear course is being plotted for such protection.

Even to the most casual visitor, the Columbia River Gorge offers a spectacular and diverse array of scenic wonders. It is clearly a landscape of national distinction, if not international distinction. It is a rare and fragile landscape worthy of protection.

Yet I think we must also recognize that the gorge, while it is an area of great scenic beauty and natural diversity, it is not pristine. Man has played an important part in shaping the gorge and has left his legacy of historical and cultural treasures. From the old Columbia River Highway, as mentioned by Governor Atiyeh, to Lewis and Clark campsites; from Bonneville Dam to archaeological sites; from farms and orchards to towns and communities; man's uses of the gorge and its resources have been many and varied.

Man's more recent activities are also obvious. Industrial areas, homesites on once unblemished hillsides, highly visible clearcuts, insensitive roadside clearings, just to mention a few.

If we are to retain the special character of this region an equitable balance must be achieved and maintained between scenic and natural values and man's activities. All too often, man and nature clash. Frequently—all too frequently—scenic and natural values do not receive the attention they deserve in land use and resource management decisions.

It is undeniably difficult to assess the value of scenic and natural values. They largely defy our traditional need to measure something and our methods of measure. They cannot be measured, nor bought or sold, by the ton or the boardfoot, or the bushel or the acre. Yet they are not without value, as we have seen from the recent emphasis on tourism.

The greatest value of the region, however, is its contribution to its quality of life. The scenic and natural values of the gorge must be recognized for what they are: The region's most important and notable natural resource. If we are to continue to derive the benefits of the region's scenic and natural values, we must insure better protection and prudent use of its resources. In the interest of the future quality of life and economic pursuits, the gorge must not be sacrificed for short-term gain. As has been previously discussed, a balance in uses must be achieved. It is in this balance that difficulties have arisen and debate ensued.

Regardless of whose growth projections you accept, increased development pressures are emerging and continuing to intensify. With over 50 agencies involved in land use regulation and resource management in the gorge, coordinated regional planning and management has been impossible to achieve.

Efforts to establish effective regional management in the gorge have failed largely due to the lack of motivation, legal authority, and resources on behalf of the numerous management and regulatory agencies.

We recognize that historical management strategies are insufficient to control emerging development pressures and to insure protection of scenic and natural values in the future. To be effective, we have a set of criteria which we have measured all management proposals to date against.

One. As mentioned in the Governor's list, management must be singular in nature. It must transcend State and county boundaries.

Two. It must have the authority and resources to deal effectively with a wide range of management issues.

Three. It must provide for the full and equal participation of local, State, and Federal interests. No one level of government should, in our opinion, dominate management of the region's resources.

Four. It must provide for the protection and enhancement of scenic and natural values, as well as for the continuing viability of gorge communities and compatible economic pursuits.

Five. The interests of the public, as well as the gorge residents and landowners, must be carefully protected by tailoring conservation strategies to the values needing protection.

To date, no one proposal has fully satisfied our criteria. We do believe, however, that the approach outlined by the two Governors, while only conceptual at this time, offers the greatest opportunity for reaching a viable and effective compromise to the ongoing gorge management debate.

This position is based on the fact that Governors' proposal, unlike all others, recognizes not only the need for singular, united management of the gorge, but also asserts that such management is best achieved through a partnership which equatably melds the interests of Federal, State, and local governmental entities.

This is not to say that we have no concerns regarding the key elements espoused by the Governors. We do. The 23-member regional commission, in our opinion, would be cumbersome. Further, the proposed composition of the commission and the voting rules would not appear to give the Federal representatives equal partner status.

We also recognize that the Governors' concepts will require considerable effort to be transformed into a viable compromise. A number of key issues in addition to the size and composition of the regional commission must be addressed and resolved. These include developing appeal and enforcement provisions, defining what interim controls will be in place pending the adoption of a management, specifying in detail what that management——

Senator **Hatfield**. Finish the sentence. You may finish the sentence.

Mr. **Breckel** [continuing]. Specifying in detail what management plan that should address, developing acquisition criteria, specifying when condemnation might be used, and establishing State and Federal cost share provisions.

Senator **Hatfield**. Thank you, Mr. Breckel.

I'd like to have a place reserved for some testimony from Gertrude Jensen who, for many years, was sort of the Columbia River Gorge Commission, the embodiment of the Columbia River Gorge Commission.

She gave many years of service to the protection of the gorge, and a very gallant lady who is battling the problems of health and cannot be with us in person. But, we will reserve a place in the record for her testimony.

[The prepared statement of Mrs. Jensen follows:]

Testimony of
The Oregon and Washington
Columbia River Gorge Commissions

Mr. Chairman and committee members:

Since their creation by the state legislatures of Oregon and Washington, it has been the mission of the Columbia River Gorge Commissions to work for the protection, preservation and enhancement of the region's unique scenic, natural and cultural values. With little fanfare and few headlines, the Commissions have worked over the years as advisory bodies to help ensure that these values will be maintained for the public's enjoyment, recreation and education.

Even to the most casual visitor, the Columbia Gorge offers a spectacular and diverse array of scenic and natural wonders. From the lush dense forestlands of the west to the barren scablands of the east, from the river to towering peaks, from Beacon Rock to Multnomah Falls, a wide variety of natural and scenic features have combined to create a landscape of national, if not international, distinction--a rare and fragile landscape worthy of protection.

Yet, it must be recognized that while the Gorge is an area of great scenic beauty and natural diversity, it is not pristine. Man has played a part in shaping the Gorge and has left a legacy of historical and cultural treasures. From the old Columbia River Highway to Lewis and Clark campsites, from Bonneville Dam to archaeological sites, from farms and orchards to towns and communities, man's uses of the Gorge and its resources have been varied and many. Man's more recent activities are also obvious: Industrial areas, homesites on once-unblemished hillsides, highly visible clearcuts and insensitive roadside clearing. If we are to retain the special character of the region, an equitable balance between man's activities and protection of the Gorge's scenic and natural values must be achieved and maintained. All too often man and nature clash, and scenic and natural values do not receive adequate attention in land use and resource management decisions.

It is undeniably difficult to assess the value of scenic and natural values. They largely defy our traditional methods of measurement. They cannot be measured, bought, or sold by the ton, board foot, bushel or acre. They are not without value, as can be witnessed by the recent emphasis on tourism in the Gorge. Yet, the greatest value of the region's scenic and natural qualities is in their contribution to the region's "quality of life," an important factor in attracting and sustaining economic activity. The scenic and natural values of the Gorge must be recognized for what they are: The region's most notable and valuable natural resource and economic asset.

If we are to continue to derive the benefits of the region's scenic and natural values, we must ensure better protection and prudent use of its resources. In the interest of future "quality of life" and economic pursuits, Gorge beauty must not be sacrificed for short-term gain. As previously discussed, a balance in uses must be achieved. It is in achieving this balance, however, that difficulties arise and debate ensues.

Regardless of whose growth projections you choose to accept, increased development pressures are emerging and will continue to intensify. Once initiated, the effect of ill-conceived or poorly-planned land use or resource management patterns on scenic and natural values is difficult, if not impossible, to mitigate. With over 50 agencies independently involved in land use regulation or resource management in the Gorge, coordinated, regional planning and management has been impossible to achieve. Efforts to establish effective regional management of the Gorge have failed, largely due to the lack of motivation, legal authority and resources of the numerous management and regulatory agencies.

We recognize that historical management strategies are insufficient to control emerging development pressures and ensure adequate protection of scenic and natural values. To be effective, we believe that long-term management must:

1. Be singular in nature, transcending state and county boundaries.

2. Have the authority and resources to deal effectively with a wide range of management issues.

3. Provide for the full and equal participation of local, state and federal interests. No one level of government should dominate management of the region's resources.

4. Provide for the protection and enhancement of scenic and natural values, as well as the continuing viability of Gorge communities and compatible economic pursuits.

5. Protect the interests of the public, as well as Gorge residents and landowners by carefully tailoring conservation strategies to the values needing protection.

It is against this criteria that the Commissions have weighed all Gorge management proposals, including the currently proposed federal legislation, S. 627, and the principles and key elements for Gorge management announced recently by Governors Spellman and Atiyeh.

To date, no proposal has fully satisfied our concerns and criteria. We do believe, however, that the approach outlined by the two governors, while only conceptual at this time, offers the greatest opportunity for reaching a viable and effective compromise to the ongoing Gorge management debate. This position is based on the fact that the governors' proposal, unlike all others, recognizes the need for singular, united management of the Gorge and also asserts that such management is best achieved through a partnership which equitably melds the interests of federal, state and local governmental entities.

This is not to say that we have no concerns regarding the methods proposed to implement the principles espoused by the governors. We do. A 23-member regional commission would, in our opinion, be cumbersome and unworkable. Further, the proposed composition of the commission and voting rules would not grant the federal representatives equal partner status.

We further recognize that the governors' concepts will require considerable effort to be transformed into a viable compromise. A number of key issues in addition to the size and composition of the regional commission must be addressed and resolved. These include developing appeal and enforcement provisions, defining what interim controls will be in place pending adoption of a management plan, specifying in detail what the management plan should address, developing acquisition criteria, specifying when condemnation might be used, and establishing federal/state cost share provisions.

Yet, we are optimistic that these shortcomings and open issues can be resolved and that a viable management compromise based on the partnership concept can be forged. We hope that such a compromise will embrace the best elements of all management proposals aired to date. And it is with this in mind that we conclude our testimony with comments on several key elements of the currently proposed federal legislation.

While it is a stated purpose of the proposed legislation to "facilitate and effect a partnership among the Federal Government, the State of Oregon, the State of Washington and local government entities," S. 627 fails to do so in an equitable manner. Under the provisions of the act the Secretary of Agriculture would clearly be vested nearly exclusive authority for the management of the region. The regional commission which it would create would relegate state and local governments to largely an advisory role and deny them an effective voice in the area's future.

We believe, as do the governors apparently, that the primary and ultimate authority should be vested in a regional commission which balances federal, state and local interests, rather than a single federal agency. Such a commission should be structured to be as impartial as possible. Its members should be free from needless and divisive entanglements with special interests and capable of equitably weighing the merits of all interests against the need to protect the Gorge and its unique values.

The role of the Secretary of Agriculture could possibly be to serve as the facilitator and coordinator in carrying out the policies and directives of the commission. Under no circumstances should a single federal agency be able to usurp the authority of the regional commission unless the commission has failed to comply with the provisions of the act.

Section 4 (b) (10) of the bill specifies that the Secretary of Agriculture would provide the regional commission with staff and technical assistance as he considers appropriate. We believe that a regional commission should retain its own staff. By utilizing a separate and independent staff a more balanced and credible prespective could be achieved in planning and coordinating management. This is not to say that technical assistance from the Forest Service or state and local agencies would not be desirable. Staffing should, however, be under the direct control of the regional commission.

In general, the Commissions support the content requirements for the management plan as specified in Section 5 of the bill. We feel, however, that provisions must be made for the establishment and review of growth boundaries around unincorporated communities. We particularly agree with provisions requiring procedures for the periodic review of lands designated critical.

Section 6 of the bill would establish a moratorium on new uses in critical areas pending adoption of interim management guidelines. We strongly agree with this concept. Such interim guidelines should be drafted and administered by the regional commission. Further, the regional commission should be authorized to grant an exception to the moratorium if a proposed use was found to be consistent with the purposes of the act.

The Commissions support the general enforcement provisions contained in Section 9 with one exception. We feel that enforcement authority should pass to the regional commission, not the Secretary of Agriculture, should a local government fail to accept or exercise such responsibility within its jurisdiction. Only if the regional commission fails to enforce the provisions of the act or the management plan should the Secretary of Agriculture intercede.

Acquisition of land, particularly through condemnation, as discussed in Section 12, has provoked considerable debate. While acquisition of land in fee and less-than-fee is a valuable and necessary conservation aid, it should be limited to instances where no other technique, such as land use controls, subsidies or incentives, is practical. Unless title is required for subsequent development or use, less-than-fee acquisitions, such as scenic easements and development rights, should generally be given priority over fee title acquisition.

The bill places too much empahsis on acquisition and fails to adequately address or rank the use of other conservation techniques which could be equally effective but far less severe. Section 12 (a) (4) (A) of the bill would prohibit acquisition of more than 10 per cent of the total scenic area acreage by condemnation. This 10 per cent translates to approximately 32,000 acres, and represents, in our opinion, an arbitrary and likely excessive amount. Condemnation should be used only as a last resort when other protection or conservation techniques are demonstrated to be infeasible. A less arbitrary criteria clearly delineating when condemnation may be considered should be developed.

Further, in keeping with our previous comments regarding the responsibilities of a regional commission, we believe all acquisition actions should be approved by the commission. Under no circumstances should condemnation be initiated without prior regional commission approval. Consideration should also be given to expanding the exemptions to condemnation specified in Section 12 (a) (2) by including forestry along with single family residences, farming and grazing. This section of the bill should also be more specific in defining what would constitute a substantial change in use, thereby allowing acquisition by condemnation. Finally, initial appropriation to the acquisition fund should not be so large as to encourage the use of acquisition without thorough evaluation and utilization of other conservation techniques which may be equally effective but less severe.

Section 16 of the bill covers mitigation of local revenue losses. The bill would allow the Secretary to make payments to a local government to mitigate loss of propoerty tax revenue, if the Secretary determines that acquisition of any real property would substantially increase the tax burden on remaining private properties. It is likely, in our opinion, that the acquisition of a single parcel will in most cases not have a significant impact on tax revenues. Yet when the cumulative impacts of numerous small acquisitions are totaled, the impact may be quite significant. Accordingly, payments in lieu of taxes should be made for every parcel acquired. Further, these payments should directly offset the amount of lost revenue and continue indefinitely.

In closing, we believe that the approach outlined by Governors Atiyeh and Spellman offers the greatest opportunity for reaching a viable and effective compromise to the ongoing management debate. It recognizes the need for strong singualar management and for equitably balancing local, state and federal interests. The effort should be made by all parties interested in the Gorge to fully develop this concept into a detailed management proposal.

Thank you for this opportunity to offer our thoughts and comments.

Senator **Hatfield**. I want to thank you, Mr. Breckel, very much for your statement and for your leadership in this whole program. I appreciate the opportunity to meet you this morning.

Mr. **Breckel**. Thank you, Senator Hatfield.

Senator **Hatfield**. Glad to have you with us, Admiral. [Laughter.] We're ready, now, for the first panel.

We welcome our neighbors from across the river. I'm very happy to have you here today. If you'd like to proceed in whatever order you wish, we'll be happy to hear from you. We'll have your full statement in the record. If you'd like to just highlight it or summarize it, we'll be very happy to hear from you.

STATEMENT OF DONALD CHRISTIANSON, MAYOR, CITY OF CAMAS, WASH., ON BEHALF OF CAMAS AND WASHOUGAL, WASH.

Mr. **Christianson**. I'm Don Christianson, mayor of the city of Camas, the largest city directly affected by this proposal. I'm representing both the city of Camas and the city of Washougal. Together we comprise a population of approximately 10,000 people.

The paper I'm going to present is the original document intended for the Hood River presentation of September 10. Some of the details have changed, but not the outside pressures.

Before I proceed with the paper, Camas has a century-old, world-class pulp and papermill. The mill receives the equivalent of 85 truckloads of logs per day from and through this gorge. This log farming-harvesting operation has been in operation for decades without adverse effects. Our timber-based economy needs both consideration and protection, not additional problems.

And, Senator, as I proceed here, I'm going to digress from this paper a little bit and try to hit the highlights, because that 5-minute bell is kind of short.

Senator **Hatfield**. I understand.

Mr. **Christianson**. First of all, attached to your paper is a map of the original proposal of approximately 90 miles tied up in the Columbia River Gorge through the original presentation of S. 3178 of last year. This particular area has been described—first of all, Camas-Washougal has an industrial development at the end of this gorge area that has been described as horrible and undesirable. But, that particular development is our industrial park, and it is important to our people and to jobs.

We are located in a timber industry-related region. As such, our industries depend upon this gorge for many things.

Second, the people on the Washington side I believe are fairly unanimous in objecting to proposed federalization of the Columbia River Gorge. The north side of the river contains considerable private land ownership. This differs from the south side.

Third, the primary individuals we believe seeking control of this region I believe could be Portland-area residents, and others far away from the Columbia River Gorge. Some may have vested interests. Some may have opposed the original presentation on the basis that it was going to affect their taxes—that is, any possible development.

Next item, "viewshed" has been coined for this area. Viewshed could conceivably encompass an area of 100 miles in any direction. If you could look at a 100-mile area, relating it to timber, that's devastating.

Skipping along here, President Reagan's program calls for local control. With Federal control, do you ever see an area full of fishermen, hunters, and so forth? We believe that the appropriate land use planning should be maintained; that there should be parks, trails, others natural amenities for perpetual use of the public. We do believe in planning.

Now, Skamania County has had a comprehensive plan for many years. They have followed their plan. They are working to upgrade it. However, Skamania County, being a small county, it doesn't have all the planning and everything in place that many other areas have. So, maybe they are a little bit behind, but they are working diligently to catch up.

Skimming along here, I would suggest that the Federal Government, if they were involved, rather than federalize the entire Columbia River Gorge, consider something such as revenue sharing, or something such as plain-and-simple bucks poured into the area to assist these local people in local planning, that they might get the job done in the way it should be.

Now, digressing for just a moment here, thank you for sending me Governor Atiyeh's and Governor Spellman's proposal. There is a lot of merit in this proposal, and I would suggest it might be pursued further. But, not from the standpoint of federalizing the entire Columbia River Gorge.

Now, skipping along here a little bit more to try to beat that clock, the city of Washougal has also asked me to make a presentation on their part, and they are 100 percent unanimous in their stand against Federal control of the gorge. They think that it would be wrong from the standpoint that if the possibilities of taking care of their area are taken away from the local people and put in the hands of a much larger body such as the Federal Government, it tends to teach dependence. It tends to teach the area and the people that they have to depend upon the Federal Government or some big brother, and they object to the big brother concept.

[The prepared statement of Mr. Christianson follows:]

CITY OF CAMAS
616 Northeast Fourth Avenue
P. O. Box 1055
Camas, Washington 98607

March 18, 1983

Senator Mark O. Hatfield
Room 114 Pioneer Courthouse
Portland, Oregon 97204

Dear Senator Hatfield:

I am speaking for both the City of Camas and the City of Washougal, Washington. Both cities are affected by and opposed to federal gorge involvement. Together we represent nearly 10,000 people.

Camas' paper is the document intended for the Hood River hearing originally scheduled for September 10, 1982. It is conceptual in nature. Some of the details may have changed but not the outside pressures for federal involvement nor the direction of the outside pressure urged on Washington, D.C.

Before I proceed with the paper, Camas has a century old world class pulp and paper mill. This mill receives the equivalent of 85 truckloads of logs per day from and through this gorge. This log farming/harvesting has been in operation for decades without adverse effects. Our timber based economy needs both consideration and protection, not additional problems.

Sincerely,

Donald Christianson

Donald Christianson
Mayor

DC:cmz

Attachments: City of Camas position paper for Sept. 10, 1982
City of Washougal position paper
Letter to City of Vancouver from Camas

CITY OF CAMAS
616 Northeast Fourth Avenue
P. O. Box 1055
Camas, Washington 98607

The Honorable Mark O. Hatfield
United States Senator

Columbia River Gorge Proposed Legislation
Testimony for Hearing
Hood River, Oregon
September 10, 1982

I am the Mayor of Camas, Washington, a city of approximately 6,000 people.

This statement is a consensus statement signed by members of our City Council.

Camas is opposed to federal legislation removing approximately 90 miles of the Columbia River Gorge territory from local control. The map shows the area from approximately The Dalles, Oregon to Camas-Washougal, Washington. Further, I note in the Congressional Record S-3178 some exclusion areas are identified. I also note that the Camas-Washougal Industrial Park area on the West is not listed as one of these exclusion areas within this proposed region as shown on the map. This conflict is detrimental to our area's best interests. This Industrial Park that has been called "horrible and undesirable" is important to our local economy. It is a relatively new industrial park that provides jobs for our people.

Camas is located at the end of the Gorge in a timber industry related region. As such our industries depend on resources and transportation such as the Gorge affords. Particularly in these times of high inflation we can ill afford to idly watch such an important resource go from local management control.

The people of the Washington side are fairly unanimous, I believe, in objecting to this proposed legislation. The north side of the river contains considerable private land ownership. This is not necessarily so on the southern side of the river as the State controls much land area there including the bluffs. We do not want further federal or state land acquisitions in the Gorge.

The primary individuals seeking control of this region, I believe, are Portland area residents miles to the west of the Gorge. Could it be that the limited number of individuals on the Washington side seeking this action may be land owners from the vicinity of the proposed development? Could it also be that their primary purpose is to stop the developer to avoid a possible tax increase resulting from reappraised land values?

The word viewshed has been coined for this area. This could be interpreted to extend more than 100 miles in some directions. Such an area could be devastating to our region, industry and commerce.

Further, the concern of citizens living in this area has been referred to as being scenically undesirable. What has not been stated is that there are dozens and maybe hundreds of homes already there, obscured from view, hidden in the trees.

President Reagan's program calls for local control. With federal control possibly even hunters and fishermen may be affected. Did you ever see a national park full of hunters and fishermen?

On the other hand we subscribe to appropriate land use planning. We believe there should be designated areas for parks, trails and other natural amenities for the perpetual use of the public. Further, we have people in this area with guide experience that could help plan these areas. However, lets keep planning local.

Skamania County has had a comprehensive plan for many years. They have followed their plan. At present they are finalizing a new zoning ordinance. This represents local progress. If the Federal Government still wants to help, possibly the most appropriate assistance you could give would be block grant or revenue sharing financing. The Revenue Sharing Program is probably the most free of bureaucratic control, cost overrun hazzards, cost drainoff pitfalls and other negative factors of any program sponsored by the Federal Government. It enables most of the dollars to reach the local point where local people can use them where they will do the most good.

Finally, as many government programs can go, this procedure would be more likely to save upwards of a billion dollars while still providing the funds to purchase selected nature and park sites from private land owners.

I urge no federal control legislation. But, I do encourage revenue sharing dollars to assist local control in their effort to preserve the area. The results can be expected to be the greatest with the least disruption and expenditure of dollars.

Respectfully submitted,

Donald Christianson

Donald Christianson, Mayor
City of Camas, Washington

Attachment: Columbia River Gorge Map

Council members:

Terry Larson

Betty J. Morris

Don W Morgan

Ronald R. Freed

Nan A Henriksen

[illegible] P. Foster

Vacant

CITY OF WASHOUGAL

March 16, 1983

Mayor Don Christenson
City of Camas
616 N.E. 4th
Camas, WA 98607

Dear Mayor Christenson:

I would like to take this opportunity to inform you, that the Washougal City Council and Mayor have taken a unanimous stand against Federal control of the Gorge.

I think it can be said fairly conclusively that the states of Oregon and Washington have demonstrated a great pride and concern for their natural resources, I think there are few states in the Union, if any, who have demonstrated through their actions as much care for the environment as we have.

We would like to remind you of the words spoken by President Lincoln " The government should not do that which the people can do best for themselves." In regards to the Gorge issue, these words can be meaningful. Local government and local citizens know far better what they wish to see and experience within their environment than does a government and its representatives based far from that environment. I would concede that up until now local and municipal governments have not joined in making management of the Gorge a strong priority, however I liken it to a big brother helping his little brother who has not yet undertaken major steps in his development. It would be a grave mistake for the big brother to accomplish the task for the little brother, for that teaches the little brother nothing but dominance by an older stronger entity. However, if the older brother takes the younger brother under his wing and helps show him the way to accomplish the task, he strengthens the bonds of friendship and cooperation and causes great growth in the younger brother.

I would hope that this potential political hot potato, will turn out to be the catalyst to unify local, state and federal government entities.

The City of Washougal, even though small, is directly affected by what happens with the Gorge on a daily basis. We will be watching and waiting with great interest to see who indeed asks and listens to our needs with regard to this issue.

On behalf of the Washougal City Council and myself I thank you for taking the time to read our concerns.

Sincerely,

Michael G. Johnson

Michael G. Johnson
Mayor - City of Washougal

MGJ/sds

CITY OF CAMAS
616 Northeast Fourth Avenue
P. O. Box 1055
Camas, Washington 98607

October 18, 1982

The Honorable Jim Justin
Mayor
City of Vancouver
P.O. Box 1995
Vancouver, Washington 98668

Dear Mayor Justin:

I am here at your invitation to present testimony to the Vancouver City Council at your hearing on the Columbia River Gorge this evening.

The City of Camas prepared a consensus statement signed by the entire council in office at the time of drafting the paper. The paper was to be presented to Senator Mark Hatfield at the hearing scheduled for September 10, 1982. That hearing was postponed. The paper has not as yet been released. However, excerpts from the paper are as follows:

> Camas is opposed to federal legislation removing approximately 90 miles of the Columbia River Gorge territory from local control. At the end of the Gorge is the Camas-Washougal industrial park. This park has already been classified as "horrible and undesirable" by the Friends of the Gorge.
>
> This organization coined a word called viewshed. This word concievably could encompass all timber area operations for 100 miles in some directions. We oppose this.
>
> We subscribe to appropriate land use planning. We also subscribe to local control in this planning. If local governments require assistance from each other let them ask.
>
> Federal government programs have been known to be blown all out of proportion. It alarms us to think of the potential for massive bureaucracy.

There are National Park ramifications in the proposal. We believe in appropriate parks. However, these ramifications could have serious negative effects on hunters, fishermen, industry, transportation and others.

Further, President Reagan's program calls for local control. This is opposite.

Other specifics not included in that report prepared in early September are as follows:

Camas' main industry is the pulp and paper mill. It is located at the west end of the Gorge. Obviously, it is a heavily timber based industry. It is also the largest employer in Clark County.

This mill is very dependent upon transportation and resources from the Gorge. During normal operations this mill receives 85 truck loads of logs per day from and through this Gorge.

In the Camas-Washougal industrial park are more timber related industrial operations. Furthermore, the City of Vancouver has similar timber dependent industries such as Vancouver Plywood, Boise Cascade and others.

It would be most unfortunate for any area government to take action adverse to our vital timber industry. Accordingly, I urge the Vancouver City Council to avoid any action that would adversely affect Camas.

Sincerely,

Donald Christianson

Donald Christianson
Mayor

ps

Senator HATFIELD. Thank you, Mr. Mayor.

Let me reiterate again that your entire statement will be made a part of the record.

Mr. CHRISTIANSON. Thank you.

Senator HATFIELD. Next? City of Vancouver?

STATEMENT OF ERIC HOVEE, ECONOMIC DEVELOPMENT MANAGER, CITY OF VANCOUVER, WASH.

Mr. HOVEE. I'm sort of a last-minute stand-in for this. My name is Eric Hovee and I am the economic development manager for the city of Vancouver. We had hoped to have a member of the city council here, but the individual involved was not able to attend this morning.

I do want to thank you for the opportunity to speak, and I appreciate the attention that you, Senator Hatfield, are giving to this issue, and is being made by congressional members from both States at this time.

I do want to speak for the city of Vancouver, which has adopted a position with respect to the Columbia River Gorge. The city of Vancouver is not directly located in the gorge, but has stated that it feels it has a vital interest as the largest adjacent city within the State of Washington.

On December 20, 1982, the city council did adopt a position after a fairly extensive public hearing process. We held a hearing in which over 200 people attended, about 40 testified, and in addition we offered an opportunity for and received about 100 pieces of correspondence.

Without going through all the "whereases" and "now, therefore," I'd like to try to summarize what the position of the city council is.

The council believes that the Columbia River Gorge is a unique national treasure that offers potential for enjoyment by local residents as well as increasing numbers of visitors, now and for generations to come.

The council believes that the city of Vancouver, which is located in close proximity to the gorge, has a vital interest in protecting this major scenic attraction that contributes to the well-being of its citizens.

The council believes that steps must be taken to insure that the gorge is preserved, both as a place to work and live for local residents, and as a recreation and tourist attraction for all citizens of our country.

We believe that all interests can be served best by establishing a cooperative relationship among local, State, and Federal agencies.

As a result of that, the council has declared its support for designation by the U.S. Government of a scenic area in the Columbia River Gorge, with primary management responsibility to be assigned to a newly created body comprised of representatives of local, State, and Federal jurisdictions or agencies within the gorge area.

The council has supported local, State, and Federal legislation that would embody a concept of full and equal partnership for local, State, and Federal jurisdictions; and, the council has urged groups that are organized to advocate various positions on the gorge to make sincere and sustained efforts to work together to resolve their differences and to develop the legislation that is needed at local, State, and Federal levels.

I do want to emphasize that the council has not endorsed any specific legislation. They have not made a specific endorsement of Federal control. They have endorsed the idea of a scenic area that would encompass both States. They have endorsed the idea of a full and equal partnership in which the primary management responsibility would be vested, rather than primary control being assigned just to one agency.

On March 15 the Governors met in Vancouver and prepared a joint statement. The city council has not had a chance to specifically either endorse or not endorse that statement. However, we believe there are a number of similarities between their approach and ours, particularly with respect to the partnership between all of the bodies involved; the idea of a common management plan that encompasses both States; and, the idea of some form of Federal legislation.

I think in conclusion we would support continued discussion to try to bring together all parties in a real partnership effort that would be of benefit both to the communities that are directly located in the gorge and the citizens and people from around the country, including areas like Vancouver, that can benefit from the tremendous attraction that it offers.

Thank you.

[The resolution submitted by Mr. Hovee follows:]

REVISED
12/20/82

RESOLUTION NO. M-2331

A RESOLUTION relating to the Columbia River Gorge.

WHEREAS, the Columbia River Gorge is a unique national treasure that offers potential for enjoyment by local residents as well as increasing numbers of visitors, now and for generations to come; and

WHEREAS, the Columbia River Gorge is a vital part of the regional economy and the livelihood of area residents and businesses; and

WHEREAS, the City of Vancouver, located in close proximity to the Gorge, has a vital interest in protecting this major scenic attraction that contributes to the well-being of its citizens; and

WHEREAS, the city council believes that steps must be taken to ensure the Gorge is preserved, both as a place to work and live for local residents, and as a recreation and tourist attraction for all citizens of our country; and

WHEREAS, the city council believes all interests can best be served by establishing a cooperative relationship among local, state and federal jurisdictions and agencies;

NOW THEREFORE BE IT RESOLVED the city council of the City of Vancouver declares its support for designation by the United States Government of a scenic area in the Columbia River Gorge, with primary management responsibility being assigned to a newly created body comprised of representatives of local, state and federal jurisdictions or agencies within the Gorge area; and

BE IT FURTHER RESOLVED the city council will support local, state and federal legislation that embodies a concept of full and equal partnership for local, state and federal jurisdictions and agencies directly affected by decisions relating to the Gorge; and

BE IT FURTHER RESOLVED the city council urges groups organized to advocate various positions on the Gorge to make sincere and sustained efforts to work together to resolve differences and develop the legislation needed at local, state and federal levels; and

BE IT FURTHER RESOLVED the city council urges Governor Spellman, members of Congress and our area state legislators and local elected officials to pursue this matter to a prompt resolution; and

BE IT FURTHER RESOLVED the city council pledges its support and best efforts to assist in preservation and protection of the Gorge.

ADOPTED at regular session of the Council of the City of Vancouver, this 20 day of December, 1982.

Jim Justin, Mayor

Attest:

June Rosentreter

H. K. Shorthill, City Clerk
By June Rosentreter, Deputy City Clerk

Approved as to form:

Jerry F King

Jerry F. King, City Attorney

PG:MW(WP)B1F

Senator HATFIELD. Thank you very much.

Mr. King, Washington County commissioner.

STATEMENT OF JOSEPH KING, CHAIRMAN, COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE, HOUSE OF REPRESENTATIVES, STATE OF WASHINGTON, AS PRESENTED BY DON HALL

Mr. HALL. My name is Don Hall. I've been asked to present Joe King's statement.

Senator HATFIELD. Oh, all right. Happy to have you substitute.

Mr. HALL. Joe King is the chairman of the commerce and economic development committee, house of representatives, State of Washington, and I've been asked to present his testimony here today.

Please bear in mind that when I say "I" and "me" all the time, it's for him.

As an independent businessman and a representative of the State legislature, my bias is to do everything possible that can be done at the lowest levels of government. However, some problems simply cannot be addressed at that level satisfactorily.

In the case of 2 States, 6 counties, and 50 jurisdictions, it is imperative that a partnership be formed to take into consideration all of these entities.

I have followed with interest the development of legislation which was reintroduced this year in the form of S. 627 that you sponsored, Senator Hatfield. I particularly appreciated that you addressed five significant areas in which State and local governments are handicapped in resolving the issues.

One area was providing for an impartial arbiter so as not to pit the various jurisdictions against each other.

It is a finely crafted piece of legislation, which requires cooperation and eliminates the risk of bargaining away the gorge to the highest bidder, as can happen with a commission only.

I appreciated the fact that you called upon the boundaries of the Gifford Pinchot National Forest and the Mount Hood National Forest to be extended to include the gorge, and to develop a separate management unit with the Forest Service that made available the largest land bank in the Northwest, the U.S. Government. It would thus be possible to acquire critical lands should the need arise through land trades, as well as outright purchase. Failure to move these boundaries would preclude the Forest Service and other governmental agencies from effecting these trades.

I noted the cost involved in the program is to be spread over all of society, rather than impacting simply the local or State jurisdictions. The Federal Land and Water Conservation Fund was designed exactly for that purpose.

The last point I was very pleased to note is that you designated it as a national scenic area. This gives a focus of the area on every map in the United States and will be a very positive thrust to convention planners to realize that there is an additional destination area when planning conventions.

It has taken a great deal of effort on the part of untold numbers of people to raise this issue to the consciousness of the people of the

State of Washington. Because of that, I was very pleased when Gov. John Spellman joined with Gov. Vic Atiyeh in Vancouver a few days ago and promulgated principles for legislation on the management of the Columbia River Gorge. The entire State of Washington now recognizes the importance of the Columbia River Gorge.

I particularly noted their pledge to work to enhance the economic opportunities within the gorge without sacrificing the world class landscape. It pleased me very much when studying the principles in your legislation to find that 17 or 18 of the principles were already thoroughly addressed within the legislation that you and Senator Packwood, Congressman AuCoin, and Congressman Weaver developed. As a legislator I realized that 90 percent of the work had already been accomplished in the pending legislation.

I also realized that through the hearing process and the testimony of experts in the field of constitutional law, land use planning, economic development, and the concerns of the environmental community, that the remaining 10 percent will be resolved, and we will all have played a part in protecting the gorge for our future generations.

I can assure you that the resources of the State of Washington for the next many years will not have the flexibility to even consider the funding of the development and implementation of a management plan sufficient to do the job of protection of the Columbia River Gorge.

Additionally, it is simply out of the question to consider acquisition of critical lands on the State level.

My sense of things is that there is a tremendous support and interest in the Puget Sound area for this effort. If we did not have that support, it would be virtualy impossible to consider a national scenic area. But, that support does exist, and the most immediate beneficiaries of that support are the citizens of southwest Washington.

I urge the Washington and Oregon congressional delegations to work closely together with the Governors to refine S. 627, and I urge that its passage be accomplished this year. The pressures that exist upon the west end of the gorge within my district are simply immense. Delay provides nothing but a negative impact upon the world class landscape of the gorge. Thank you.

[The prepared statement of Mr. King follows:]

STATEMENT BY SOUTHWEST WASHINGTON REPRESENTATIVE JOE KING

CHAIRMAN: COMMERCE AND ECONOMIC DEVELOPMENT COMMITTEE - HOUSE OF REPRESENTATIVES
STATE OF WASHINGTON
317 House Office Building
Olympia, Washington

Home: 5114 N.E. 18th Avenue
Vancouver, Washington 98661

READ BY: WILLIAM S. MARSHALL
Owner: Marshall Leasing
208 E. 16th Street
Vancouver, Washington 98663

TO: SENATOR MARK HATFIELD
SENATE ENERGY & NATURAL RESOURCE COMMITTEE
U.S. SENATE
PORTLAND, OREGON

MARCH 25, 1983

As an independent business man and a Representative of the State Legislature, my bias is to do everything possible that can be done at the lowest levels of government. When observing any particular problem, I feel one needs to go to the lowest level of government to solve that problem first. However, some problems simply cannot be addressed at that level satisfactorily. In the case of 2 states, 6 counties and 50 jurisdictions, it is imperative that a partnership be formed to take into consideration all of those entities. To ignore the federal and state presence in the Gorge is as big a travesty as to ignore the local presence in the Gorge.

I have followed with interest the development of discussion papers, legislative concepts and finally legislation which was re-introduced this year in the form of Senate Bill 627 that you sponsored, Senator Hatfield. I particularly appreciated that you addressed 5 significant areas in which local and state government are handicapped in resolving the issues. One area was providing for an impartial arbiter so as not to pit the various jurisdictions against each other. It is a finely crafted piece of legislation which requires co-operation and eliminates the risk of bargaining away the Gorge to the highest bidder as can happen with a commission only.

I appreciated the fact that you called upon the boundaries of the Gifford Pinchot National Forest and the Mt. Hood National Forest to be extended to include the Gorge. And from that, to develop a separate management unit with the Forest Service. I particularly appreciated the fact that providing for the movement of these boundaries made available the largest land bank in the Northwest - the U.S. Government. It would thus be possible to acquire critical lands should the need arise through land trades, as well as outright purchase. Failure to move these boundaries would preclude the Forest Service and other governmental agencies from affecting these trades.

I noted that any cost involved with the program is to be spread over all of society rather than impacting simply the local or state jurisdictions. It is society's responsibility on an issue of this magnitude that the cost be amortized over the widest possible base, and fortunately the Federal Land and Water Conservation Fund was designed exactly for that purpose. That in itself would provide a great service to our constituents, as well as society as a whole.

And the last point I was very pleased to note is that you designated it a National Scenic Area. This gives a focus of the area on every map in the United States and will be a very positive thrust to convention planners to realize that there is an additional destination area when planning conventions. Additionally, every family that ever looks at the map of the Northwest will be able to identify where the Columbia Gorge National Scenic Area is located, which will have a positive impact upon tourism.

As a State Representative from Southwest Washington, I'm abundantly aware that the political power of the State of Washington resides other than in Southwestern Washington. It has taken a great deal of effort on the part of untold numbers of people to raise this issue to the consciousness of the people of the State of Washington.

Because of that I was very pleased when our own Honorable Governor John Spellman joined with the Honorable Governor Vic Atiyeh in Vancouver a few days ago and promulgated Principles for Legislation on the Management of the Columbia River Gorge. The entire State of Washington now recognizes the importance of the Columbia River Gorge.

I was also pleased that our Governors pledged their best efforts to work with our Congressional delegations, in addition to state and local governments, to develop a plan that truly not only preserves and protects those qualities that require protection and preservation, but works to enhance the economic opportunities within the Gorge for all of our citizens. As Chairman of the Commerce and Economic Development Committee of the House of Representatives of the State of Washington, I have a particular interest in enhanced economic opportunities throughout Southern Washington.

It pleased me very much when studying the principles and your legislation to find that 17 or 18 of the principles were already throughly addressed within the legislation that you and Senator Packwood, Congressman AuCoin and Congressman Weaver developed. As a legislator, I realized that 90% of the work had already been accomplished in the pending legislation. I also realize that through the Hearing process and the testimony of experts in the field of constitutional law, land use planning, economic development, and the concerns of the environmental community that the remaining 10% will be resolved and we will all have played a part in protecting the Gorge for our future generations.

As an elected Representative from Southwestern Washington, I can assure you that the resources of the State of Washington for the next many years will not have the flexibility to even consider funding the development and implementation of a management plan sufficient to do the job of protection of the Columbia River Gorge.

Additionally, it is simply out of the question to consider acquisition of critical lands on the state level. Our problems in providing for existing services within the State of Washington defy easy solutions and even with a turnaround in the economy our problems will be far from overwith and will continue into the years to come.

Should the State of Washington arrive at the point where funding an area in need of protection such as the Columbia River Gorge is possible, I can assure you that it will be very, very difficult to allocate funds for that purpose when the population of the State of Washington is located 160 miles north. The pressure to develop recreation areas and preserve pristine locations in the Puget Sound area is every bit as great as it is in the Columbia River Gorge. But the population is there and the political realities and legislative history will show that that's where the expenditure of this type of money is made.

I would also point out that this is an opportunity to use this divergence of interest to an advantage. My sense of things are that there is tremendous support and interest in the Puget Sound area for this effort. If we did not have that support it would be virtually impossible to consider a National Scenic Area, but that support does exist and the most immediate beneficiaries of that support are the citizens of Southwest Washington.

I urge the Washington and Oregon Congressional delegation to work closely together with the Governors to refine Senate Bill 627 and I urge that its passage be accomplished this year. The pressures that exist upon the western end of the Gorge within my district are simply immense. Delay provides nothing but a negative impact upon the world-class landscape of the Gorge. The Gorge deserves better. I thank you for your leadership and call upon the Washington Congressional delegation to join you and your colleagues in passing this legislation.

Senator HATFIELD. Thank you, very much.

Next we have Mr. Callahan.

STATEMENT OF ED CALLAHAN, COUNTY COMMISSIONER, SKAMANIA COUNTY, WASH.

Mr. CALLAHAN. Thank you, Senator.

My name is Ed Callahan and I'm a county commissioner from Skamania County, Wash. I welcome this opportunity to outline, in brief detail, our efforts and accomplishments in the protection and the management of the Columbia River Gorge.

All of us respect the gorge as a treasure, and we, too, are concerned with its future, and our own. While we move forward diligently and in good faith toward an expanded resource management plan, we also believe that a rush to Federal judgment is not required to address our common needs.

Skamania County is vitally concerned with its economic development diversity, consistent, of course, with the natural and scenic qualities of the gorge. Approximately 50,000 people live and work in the gorge, and economic opportunities must exist for these people to survive. Present economic activities are compatible with the preservation needs of the gorge, and will continue to be so under local management. Economic opportunities, balanced with the preservation of natural and scenic qualities must be a key factor in determining the most appropriate management plan for the gorge.

I feel this balance can best be mantained with local and regional management. Federal legislation would only inhibit this balance.

Skamania County is also concerned with its tax base. Most of the land mass within Skamania County is now in Federal, State, and timber holdings. Only 8 percent of the land is taxed at full valuation. Federal legislation would only increase Government ownership. Proposed critical lands in Skamania County comprise three-fourths of the total proposed critical lands. The fair market value of the critical lands in Skamania County approaches $100 million alone. Our county and its citizens deserve an adequate resource in tax base, and an opportunity to manage it consistent with its character.

Skamania County has played its part in the Washington Shorelines Management Act, which served as the national model over a decade ago. We have a countywide comprehensive land use plan which respects the integrity of community centers, rural areas, and conservancy districts within our boundaries. A proposed zoning ordinance for the county is being considered at public hearings at this time. It contains strict guidelines for the protection and development of land, special overlay zones for the Columbia River Gorge, and heritage resource preservation highlights our acceptance of our stewardship. These latest efforts follow plotting, subdivision, building, and environmental codes at local and State levels already in place.

We must also recognize that there are existing communities within the gorge. Some are incorporated and some are not. Growth boundaries need to be established for each city and unincorporated community based on the projected need and protection of the character of the area.

In Skamania County, 10 such communities and cities exist within the proposed gorge boundaries. Development of land lying between these communities should be addressed to preserve the unique qualities of the gorge, and limit development pressures. This can be accomplished and managed on a local level.

Our heritage and our rights as citizens of the United States are important, too. In 1917, my father went to France to protect the American dream of owning land and a home. In World War II, I went to the South Pacific. My brother served in Korea during the Korean war, my nephews went to Vietnam.

Now, proposed Federal legislation for the gorge can do what no foreign power has been able to do, and that is to take our land. I ask you at this time not to endorse any Federal legislation for the gorge, but let the local people work it out. We should not endure additional sacrifices by unnecessarily restricting growth in our area.

We appreciate your attention to our views. We welcome your encouragement of the regional process short of a Federal mandate and Federal designation, one that permits our county and its communities, our neighbors and their communities, to meet our special responsibilities for the future, as we have in the past.

I am confident that the integration of local and regional authority can respond to the concerns before us now, and we seek that opportunity.

Thank you.

Senator HATFIELD. Thank you, Mr. Callahan.

Mr. Benson? [Applause.]

Senator HATFIELD. I would request the audience not respond to the witnesses in order that we may keep this moving along rapidly.

STATEMENT OF WILLIAM V. BENSON, COUNTY COMMISSIONER, SKAMANIA COUNTY, WASH.

Mr. BENSON. Thank you, Senator, for the opportunity to appear here.

We're all agreed that the gorge, while far from pristine, is still worth defending from the onslaught of Multnomah and Clark County refugees. Our Governor, after having been told repeatedly by the people who live in the gorge that we do not need nor do we desire any outside interference in our affairs, has absolutely ignored our wishes and needs and entered into a misbegotten agreement with the Governor of Oregon asking for Federal legislation.

He did this after his own select committee recommended a commission solely on the north bank which could cooperate with Oregon. This agreement was also reached while a State bill following the recommendation of the Governor's select committee was being fine tuned by the three affected Washington counties.

Senator, in your letter of March 18 you enclosed a copy of the Governors' proposal, and asked for comments. I now know what William Shakespeare meant when he said "Beware of the Ides of March."

Sir, as I read it, it seems an innocuous document that harms no one, makes some partly happy. However, when it reaches the Houses of Congress, the Sierras, Audubons, 1,000 Friends of Oregon, the garden clubs, the Friends of the Gorge, to name a few, and they finish cutting, slashing, and amending it, they will have accomplished their original goal: To put Skamania County under an onerous, unreasonable, unheeding, uncaring, unfeeling, unthinkable bureaucracy, which will toll the death knoll for life as we know and love it.

If we are to be saddled with a bistate compact, let us do it in the proper fashion, with legislation passed in both States, and the Federal legislation to bless the union.

I ask you to be very careful of any legislation concerning the gorge. We are not dealing with a playground for tourists, we are dealing with the lives and homes of people.

If Congress is truly concerned with Skamania County, I suggest you pass some legislation to alleviate the 33 percent unemployment rate.

Thank you. [Applause.]

Senator HATFIELD. Thank you, Mr. Benson.

I do not note any degree of ambiguity in your statement. [Laughter.]

Mr. Holly?

STATEMENT OF FRED HOLLY, COUNTY COMMISSIONER, KLICKITAT COUNTY, WASH.

Mr. HOLLY. Thank you, Senator. I appreciate the opportunity to appear here today. The statement I'm going to present to you today is rather brief, and we have a full text of our statement that's been mailed to your office.

This testimony is respectfully given in opposition to the proposed Columbia River Gorge Act of 1983 known as the Packwood bill. The basis for our opposition is that the bill is not needed, that the gorge can be managed locally, that Klickitat County is currently considering and enforcing a zoning ordinance which contains a zoning district known as the Columbia Gorge overlay zone which has been in force since November 1981.

The findings presented in the bill itself do not establish a need for the bill. The provisions of the bill are not representative of good planning, particularly with regard to local citizen participation in the planning process.

It appears from the tone of many of the findings presented in the bill that because of the proximity of the gorge to the Portland-Vancouver metro area, and the fact that residents of the area recreate in the gorge, there is a need to establish a Federal park to protect the area for those people and secure Federal money to develop facilities for their enjoyment.

This does not appear to be in the national interest, especially when considering that the gorge has always been used by visitors, with services made available by the State and local agencies and individuals. The fact that visitors do come to the area should offer sufficient evidence that we who live in the gorge have been doing a good job in taking care that it has been and will remain a nice place to live and visit.

To say that the gorge is threatened by uncontrolled development is to admit ignorance of the many and varied controls on development that currently exist on land and people within the gorge. In Klickitat

County alone the following controls are in force: a comprehensive plan, shorelines master plan, platting regulations, zoning; and, this includes what we call the gorge overlay protection zone, a copy of which you have; environmental regulations, flood plain restrictions, and a policy which prohibits surface mining on exposed or unscreened slopes within the gorge. No development is allowed which is detrimental to the scenic beauty of the gorge, of those areas lying within the gorge as defined by State statute, and outside incorporated and unincorporated communities and industrial areas.

The visual impact on the gorge from farms, orchards, forest production, and cities and towns has been minuscule when compared to Federal dams, transmission lines, and highways. The major contributor to changing the character of the gorge has been the Federal Government, a governing body which exempts itself from local plans and regulations.

We take issue with the finding that the Federal Government must be the single arbiter to resolve differences between management practices of the various government jurisdictions in the gorge. There are alternatives which would serve the same purpose and be much more responsive to local and regional concerns; and, it appears that the Governors of both Washington and Oregon agree on this.

The present and future management of the Columbia River Gorge has created a great deal of controversy, and has caused emotions to run very high, to the point that at times I am sure there are those who believe that the problem cannot be solved at any level, whether it be local, State, or Federal.

We, the governing body of Klickitat County, have always worked in a spirit of cooperation with other municipalities in attempting to bring about a workable solution to the problem. We, therefore, believe that with the recent signing of the joint agreement between the Governors of the two States, it appears that we can now move forward to implement a plan that recognizes the scenic qualities of the gorge, while at the same time providing economic opportunities for the entire region. But, above all, the most important consideration to be given is the protection of the rights of property owners within the gorge. After all, they are the ones who have kept it a diversified and beautiful area by living, working, and paying taxes here.

Thank you.

Senator HATFIELD. Thank you very much, gentlemen. We appreciate the time you have taken to be here this morning. Your testimony has been very helpful.

The next panel is panel No. 2: Mr. George, Mr. Palmer, Mr. Schock, Mr. Hobson, Mr. Dietz representing Mr. Lindberg, Mr. Bauman, and Ms. Macpherson.

[Pause.]

Mr. George.

STATEMENT OF LEVI GEORGE, COLUMBIA RIVER INTERTRIBAL FISH COMMISSION

Mr. GEORGE. Senator Hatfield, my name is Levi George. I thank you for this chance to speak on behalf of the Columbia River Intertribal Fish Commission.

As you know, the commission is composed of fish and wildlife committees of the Yakima Warm Springs, Umatilla, and Nez Perce tribes.

In the mid-19th century, treaties were ratified by the U.S. Senate in which each of those tribes reserved the rights to fish at all usual and cusomary places. While the commission is charged with coordinating the exercise of those rights, the rights themselves belong to the individual tribes. The interests of the tribal governments are broader than those of the commission.

Because this legislation may affect the rights in land and other resources that are not specific responsibilities of the commission, we respectfully ask that you hold the record open for written testimony by our member tribal governments.

Senator HATFIELD. We will have the record open for 2 weeks so that you can submit any material you wish.

Mr. GEORGE. OK, thank you.

Senator Hatfield, the commission applauds your efforts and those of other members of the Oregon delegation in seeking protection for the Columbia River Gorge. Since time immemorial our ancestors have lived on and by these lands and waters. Our cultures, our religion, our food, and our forms of government are part of the lands you now wish to designate as a national scenic area. We commend this action, but we are concerned that the bill does not fully recognize our treaty-secured rights as understood by the signers and interpreted by the Federal courts.

With respect to the rights related to the work of our commission, these include but are not limited to the right of access to usual and customary fishing stations; the right to enforce tribal laws in certain areas held in trust by the Federal Government for use by the Columbia River Indian tribes; the right to the Columbia River hydroelectric system management that protects our fish and our fisheries; the right to erect temporary structures for shelters for curing and drying fish; the right to protect our fishery resource from activities that degrade fish habitat.

A number of the other rights related to gorge legislation are the direct responsibility of commission member tribes. These include but are not limited to certain interest in land owned by the tribes or their members; retain tribal sovereignty and regulatory authority; the right to protection of spiritual places and burial grounds.

Not only do our tribes enjoy rights to protection of soil, water, fish, and other natural resources, but much land within the proposed gorge scenic area is actually Indian country as defined under the Federal law.

Other lands encompassed by the bill, such as national forest land, are owned and managed by the Federal Government, subject to its trust responsibility.

The rights enjoyed by the commission tribes are not only political creations of the States, but are rights reserved by these tribes as sovereign powers—rights that are recognized by the U.S. Constitution. While these rights have often been affirmed only after long court battles, we have found that they are better realized through government-to-government interaction with full realization of the Federal trust obligation.

Neither S. 627 nor the proposal announced by Governors, Spellman and Atiyeh, meets that test. Neither provides for participation of affected tribal governments in the affairs of the proposed regional commission.

[Timer bell.]

Mr. **George.** Neither states an intent to protect and actuate treaty rights. In the case of the Governors' proposal, the important role of the Federal agency as trustee appears to be subordinated to a commission whose members are appointed by the States.

Senator **Hatfield.** Thank you. We'll put the rest of your statement in the record, Mr. George.

[The prepared statement of Mr. George follows:]

STATEMENT OF LEVI GEORGE ON BEHALF OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER CONCERNING S. 627, MARCH 25, 1983

SENATOR HATFIELD, THANK YOU FOR THIS CHANCE TO SPEAK ON BEHALF OF THE COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION. AS YOU KNOW, THE COMMISSION IS COMPOSED OF THE FISH AND WILDLIFE COMMITTEES OF THE YAKIMA, WARM SPRINGS, UMATILLA, AND NEZ PERCE TRIBES.

IN MID-NINETEENTH CENTURY TREATIES RATIFIED BY THE UNITED STATES SENATE, EACH OF THESE TRIBES RESERVED RIGHTS TO FISH AT ALL USUAL AND ACCUSTOMED PLACES. WHILE THE COMMISSION IS CHARGED WITH COORDINATING THE EXERCISE OF THOSE RIGHTS, THE RIGHTS THEMSELVES BELONG TO THE INDIVIDUAL TRIBES, AND THE INTERESTS OF THE TRIBAL GOVERNMENTS ARE BROADER THAN THOSE OF THE COMMISSION. BECAUSE THIS LEGISLATION MAY AFFECT RIGHTS IN LAND AND OTHER RESOURCES THAT ARE NOT SPECIFIC RESPONSIBILITIES OF THE COMMISSION, WE RESPECTFULLY ASK THAT YOU HOLD THE RECORD OPEN FOR WRITTEN TESTIMONY BY OUR MEMBER TRIBAL GOVERNMENTS.

SENATOR HATFIELD, THE COMMISSION APPLAUDS YOUR EFFORTS AND THOSE OF OTHER MEMBERS OF THE OREGON DELEGATION IN SEEKING PROTECTION FOR THE COLUMBIA RIVER GORGE. SINCE TIME IMMEMORIAL, OUR ANCESTORS LIVED ON AND BY THESE LANDS AND WATERS. OUR CULTURES, OUR RELIGION, OUR FOOD, AND OUR FORMS OF GOVERNMENT ARE A PART OF THE LANDS YOU NOW WISH TO DESIGNATE AS A NATIONAL SCENIC AREA. WE COMMEND THIS ACTION, BUT WE ARE CONCERNED THAT THE BILL DOES NOT FULLY RECOGNIZE OUR TREATY-SECURED RIGHTS AS UNDERSTOOD BY THE SIGNERS AND INTERPRETED BY THE FEDERAL COURTS.

WITH RESPECT TO RIGHTS RELATED TO THE WORK OF OUR COMMISSION, THESE INCLUDE BUT ARE NOT LIMITED TO:

- THE RIGHT OF ACCESS TO USUAL AND ACCUSTOMED FISHING STATIONS;
- THE RIGHT TO ENFORCE TRIBAL LAWS IN CERTAIN AREAS HELD IN TRUST BY THE FEDERAL GOVERNMENT FOR USE BY COLUMBIA RIVER INDIAN TRIBES;
- THE RIGHT TO COLUMBIA RIVER HYDROELECTRIC SYSTEM MANAGEMENT THAT PROTECTS OUR FISH AND OUR FISHERIES;
- THE RIGHT TO ERECT TEMPORARY STRUCTURES FOR SHELTER AND FOR CURING AND DRYING FISH;
- THE RIGHT TO PROTECT OUR FISHERY RESOURCES FROM ACTIVITIES THAT DEGRADE FISH HABITAT.

--

A NUMBER OF OTHER RIGHTS RELATED TO GORGE LEGISLATION ARE THE DIRECT RESPONSIBILITY OF THE COMMISSION'S MEMBER TRIBES. THESE INCLUDE BUT ARE NOT LIMITED TO:

- CERTAIN PROPRIETARY INTERESTS IN LAND OWNED BY THE TRIBES OR THEIR MEMBERS;
- RETAINED TRIBAL SOVEREIGNTY AND REGULATORY AUTHORITY;
- THE RIGHT TO PROTECTION OF SPIRITUAL PLACES AND BURIAL GROUNDS.

--

NOT ONLY DO OUR TRIBES ENJOY RIGHTS TO PROTECTION OF SOIL, WATER, FISH, AND OTHER NATURAL RESOURCES, BUT MUCH LAND WITHIN THE PROPOSED GORGE SCENIC AREA IS ACTUALLY INDIAN COUNTRY AS DEFINED UNDER FEDERAL LAW. OTHER LANDS ENCOMPASSED BY THE BILL, SUCH AS NATIONAL FORESTLAND, ARE OWNED AND MANAGED BY THE FEDERAL GOVERNMENT SUBJECT TO ITS TRUST RESPONSIBILITY.

THE RIGHTS ENJOYED BY THE COMMISSION'S MEMBER TRIBES ARE NOT POLITICAL CREATIONS OF THE STATES, BUT ARE RIGHTS RESERVED BY THESE TRIBES AS SOVEREIGN POWERS -- RIGHTS THAT ARE RECOGNIZED BY THE UNITED STATES CONSTITUTION. WHILE THESE RIGHTS HAVE OFTEN BEEN AFFIRMED ONLY AFTER LONG COURT BATTLES, WE HAVE FOUND THAT THEY ARE BETTER REALIZED THROUGH GOVERNMENT-TO-GOVERNMENT INTERACTION WITH FULL REALIZATION OF THE FEDERAL TRUST OBLIGATION.

NEITHER S. 627 NOR THE PROPOSAL ANNOUNCED BY GOVERNORS SPELLMAN AND ATIYEH MEETS THAT TEST. NEITHER PROVIDES FOR PARTICIPATION BY AFFECTED TRIBAL GOVERNMENTS IN THE AFFAIRS OF THE PROPOSED REGIONAL COMMISSION. NEITHER STATES AN INTENT TO PROTECT AND ACTUATE TREATY RIGHTS. IN THE CASE OF THE GOVERNOR'S PROPOSAL, THE IMPORTANT ROLE OF THE FEDERAL AGENCY AS TRUSTEE APPEARS TO BE SUBORDINATED TO A COMMISSION WHOSE MEMBERS ARE APPOINTED BY THE STATES.

THE GOVERNORS HAVE SUGGESTED IN EFFECT THAT THE BILL'S PLANNING PROVISIONS BE AMENDED TO WORK IN A MANNER SIMILAR TO THAT OF THE REGIONAL POWER ACT. ALTHOUGH OUR MEMBER TRIBES SUPPORTED THE POWER ACT FISHERY PROVISIONS AND PARTICIPATED FULLY IN DEVELOPMENT OF ITS FISH AND WILDLIFE PROGRAM, THE COMMISSION SEES SIGNIFICANT DIFFERENCES BETWEEN THAT LEGISLATION AND THIS GORGE PROTECTION BILL.

FIRST, FUNDING THE ACT'S REQUIREMENTS IS ULTIMATELY BOTH A LEGAL AND ECONOMIC RESPONSIBILITY OF THE REGION'S RATEPAYERS, WHEREAS CONGRESS WOULD BE THE FUNDING ENTITY FOR GORGE PROTECTION. SECOND, THE MAKEUP OF EITHER PROPOSED GORGE COMMISSION FOCUSES HEAVILY ON COUNTY GOVERNMENT INVOLVEMENT, WHILE THE POWER ACT IS A DIRECT PARTNERSHIP OF THE STATES AND THE FEDERAL GOVERNMENT.

IT IS THE COUNTY GOVERNMENTS THAT HAVE BEEN MOST VOCAL IN OPPOSITION TO THE PRINCIPLES OF GORGE PROTECTION. OUR COMMISSION IS THEREFORE DEEPLY TROUBLED, AND BELIEVES THAT THE BILL MAY ACTUALLY ENCOURAGE DAMAGING DEVELOPMENT RATHER THAN CAREFUL, CONSERVATORY PLANNING.

TO ADDRESS THE PROBLEMS WE HAVE IDENTIFIED IN BOTH S. 627 AND THE GOVERNOR'S PROPOSAL, WE RECOMMEND THE FOLLOWING:

- AMENDMENT OF S. 627 PURPOSES AND FINDINGS TO STATE THE CULTURAL, SOCIAL, AND ECONOMIC NEED FOR PROTECTION OF COLUMBIA RIVER FISH RESOURCES;
- AMENDMENT OF THOSE PURPOSES AND FINDINGS TO STRESS THE IMPORTANCE OF PROTECTING INDIAN TREATY RIGHTS;
- RECOGNITION OF THE ROLE OF TRIBAL GOVERNMENTS BY REQUIRING REPRESENTATION OF APPROPRIATE INDIAN TRIBES ON ANY PROPOSED COMMISSION;
- PROVISIONS FOR PROTECTION OF KEY SALMON-PRODUCING TRIBUTARIES IN THE GORGE;
- RECOGNITION OF THE TRUST RESPONSIBILITIES OF FEDERAL AGENCIES THAT WILL BE INVOLVED IN PROTECTION OF GORGE RESOURCES.

--

A GORGE PROTECTION ACT CAN BE A VITAL ELEMENT IN THE LEGISLATIVE PATTERN TO REBUILD COLUMBIA BASIN RESOURCES. IF DRAFTED TO ACTUATE THE INTENT OF OUR TREATIES, GORGE LEGISLATION WILL LOGICALLY JOIN THE REGIONAL POWER ACT AND SALMON AND STEELHEAD ENHANCEMENT ACT, AND WILL EXTEND THAT PLANNING BASE FOR COLUMBIA RIVER RESTORATION. GENERIC TO THE LANGUAGE OF OUR TREATIES IS CONSERVATION OF THE NATURAL SYSTEMS THAT SUSTAIN LIFE. WE THEREFORE SUBMIT THAT IN BOTH THE SHORT AND LONG TERM OUR TREATIES BENEFIT THE PACIFIC NORTHWEST. WE ARE CONVINCED THAT VIGOROUS ADHERENCE TO THE SPIRIT AND LETTER OF THOSE SOLEMN PROMISES BETWEEN SOVEREIGN NATIONS IS THE BEST HOPE FOR THIS REGION'S SURVIVAL.

DURING THE NEXT TWO WEEKS WE WILL BE RECOMMENDING SPECIFIC LANGUAGE CHANGES IN THE BILL TO OUR MEMBER TRIBES FOR SUBMISSION TO YOU AND OTHER MEMBERS OF THE NORTHWEST DELEGATION. WE TRUST YOU WILL GIVE THEM FULL CONSIDERATION.

Mr. George. OK, thank you.

Senator Hatfield. Thank you very much. I want to assure you that whatever we do in the gorge eventually, whatever it may be, that that is an issue you raise that we cannot ignore.

Mr. Palmer?

STATEMENT OF GLENN E. PALMER, COUNTY COMMISSIONER, HOOD RIVER COUNTY, OREG.

Mr. Palmer. Senator Hatfield, members of the panel, I am Glenn Palmer, Hood River County Commissioner, living at 801 May Street in the city of Hood River. I want to thank you for the opportunity to address you today.

As an elected official of the County of Hood River, I wish to inform you that the county commission voted unanimously to support the concept of gorge management that was recently announced jointly by Governors Atiyeh and Spellman. We have asked Governor Atiyeh to be allowed to be a part of the formal solution to the problem, rather than be a part of the problem.

I am further authorized to tell you that it can be anticipated that the city council of the city of Hood River will formally vote to support the Governors' concept this coming Sunday evening.

The Port Commission of Hood River also voted to support this concept at their last meeting on March 21. The city of Cascade Locks has always opposed the legislation which was introduced by Senator Packwood.

It is our firm belief that any plan for land management in the gorge must include a large degree of local government input and implementation. We recognize the general rights and concerns of residents of other area in regard to preservation of the unique natural beauty of the gorge. However, such interest and concern must not supersede the rights and desires of the citizens who actually live in the gorge and whose chosen lifestyles may be submerged in management by other than their peers.

I am very upset by the role for local government which has been described to me in the letter from Congressman Wyden. He termed it as being a modest coordinating role. That, to me, is repugnant. Certainly if local citizens are considered to be sufficiently competent to govern the counties and cities in the six-county gorge area, we must be considered competent to formulate and administer land use regulations for any special though minor part of our present governmental boundaries. We are not lacking in governmental ability of integrity, but we are hampered somewhat by finances in reaching our goals in preserving the beauty of the gorge. Assistance but not domination by State and national governments will be appreciated.

For that reason, the Hood River County Commission asks that our congressional delegation work with Governors Atiyeh and Spellman in an effort to reach a sound and acceptable program for management of the gorge. We have no desire to destroy the gorge. Neither do we wish to be involved in an interstate dispute with our friends and neighbors across the Columbia River. The States of Oregon and

Washington have worked in harmony in many other areas of mutual interests, and it can be done in the gorge.

Much publicity has been given to the envisioned rampant population growth in the gorge due to the recent opening of the Interstate 205 Glenn Jackson Bridge. This prediction has no basis in fact. I have in my hand a map of Multnomah and Clark Counties and the legal western boundary of the gorge and the outlines of Portland and Vancouver cities. Please notice there's sufficient land between—the mileage between the present eastern boundaries of Portland and the entrance to the gorge to accommodate another city the same size as Portland, and this is only on the Oregon side of the river. Even more area lies between the eastern boundary of Vancouver and the gorge. Thus, the combined population of Portland and Vancouver could almost triple before the overflow would reach the gorge. No one has ever predicted such a growth pattern in the foreseeable future. Only those of us who drive the gorge in the winter can understand the growth barrier presented for commuters between the rural gorge and urban Portland-Vancouver. Nature has its own effective method of preventing the gorge from becoming a Portland bedroom community.

In closing, I again ask that the congressional delegations of both Oregon and Washington sit down with the Governors of these States and bring about a legislative proposal that will protect the property rights of the gorge residents, as well as the visual desires of the general public, without imposing a Federal bureaucracy on the area.

Thank you.

[The attachments to the statement of Mr. Palmer follow:]

K. W. KIRBY
ADMINISTRATIVE ASSISTANT

TEL. 386-3970

COUNTY OF HOOD RIVER
BOARD OF COMMISSIONERS

ELMER W. MURRAY, CHAIRMAN
RODGER A. SCHOCK – DISTRICT NO. 1
GLENN E. PALMER – DISTRICT NO. 2
LEE E. CURTIS – DISTRICT NO. 3
JERRY ROUTSON – DISTRICT NO. 4

HOOD RIVER, OREGON 97031

February 10, 1983

Senator Bob Packwood, Chairman
Senate Commerce Committee
Washington, D.C.

Dear Senator Packwood:

I understand that today's testimony will be confined to tourism and possible tourism development in the Gorge. Thus, I will only address that small segment of the larger question of federal control of the Gorge.

Initially it must be recognized that the Gorge's attraction is in it's visual, natural beauty and not as a destination recreational development. It is not a place where visitors stay for any notable period of time unless it is for the purpose of camping. It is a fact of economics that passing-through or outdoor camping tourists spend very lettle money in the area through which they pass or camp. A recent study by Pacific Economica stated that a stay of at least three days is required before there can be an identifiable economic impact on the local community. It is reasonable to conclude that the many viewers and campers who visit the Gorge do not, and will not, be assets to the economic growth of the towns and cities in the Gorge. Certainly almost all metropolitan Portland residents who visit the Gorge return home at the end of a day's viewing. It is bewildering to recognize that they are the ones who loudly proclaim that tourism will help the crippled economy of the Gorge communities when they spend so few dollars here.

Locally our big tourist event is a Blossom Day Sunday which attracts a few thousand people. However, it is not a Gorge activity as it accents the beauty of fruit blossoms in the valley. The money spent that day by tourists is for meals prepared by local social organizations and the mementos purchased are of local craft work. Little enters into the general commercial establishments, most of which are closed on Sundays.

I believe my first visit to the Gorge, in 1962, was typical of most tourists. As an Easterner, visiting the Northwest, I was staying at the old Multnomah Hotel in Portland. I ate breakfast there, bought some Portland gas for a rented car, and headed for the Gorge. The first stop was at Multnomah Falls where I gazed and took pictures on film bought in Portland. I didn't even buy a memnto at the souvenier shop. Next came Bonneville Dam, where about an hour was spent watching the fish count and examining the things in the Visitors Center.

Another half hour was spent at the fish hatchery. I passed by the Bridge of the Gods as I didn't want to go into Washington just yet. Lunch was bought in this very building, the Hood River Inn. I then went past The Dalles, intending to see Maryhill Museum. However, it was mid-August and the temperature around 100, so I stopped a few minutes at Celilo Falls and came back to The Dalles. I crossed into Washington at The Dalles Dam Bridge and headed back to Portland. Due to the narrow road and the greenery between the road and the river, not much Gorge was viewable. It was a great view from Cape Horn. Dinner was in some unremembered Portland downtown restaurant as day ended. I certainly was a big spender, about $3.75 for a lunch.

Since I became a resident of the Gorge, I have shown it to quite a few out-of-state visitors and the pattern remains practically identical. They want to see everything possible in the time limitations of vacations.

When one is enjoying the natural beauty of the Gorge, there is no desire to leave the highway to look at any of the few small towns adjacent to the road. Remember that in Oregon the interstate highway bypasses all of the local communities, none of which have any tourist attraction save the boat rides, seasonally, at Cascade Locks. The proposal for a tramway to attract tourists at Cascade Locks was shot down principally by the combined Gorge Commissions of Oregon and Washington. I ask, "Where are the accomodations for a large tourist industry?" The tourist oriented businesses such as this hotel normally have plenty of rooms available, without reservations, for the touring public. In fact on the first Friday of this past November, this hotel in which we are meeting had an occupancy of only ten rooms, two of which were occupied by my friends. Is any other hotel chain going to build a big complex for tourists who will probably return to Portland for the night anyway? This very hotel has announced expansion plans several times, only to cancel them in view of the realities of economics. The great plans for the Columbia Gorge Hotel ended in bankruptcy court.

Are those who envision a large tourist industry for the Gorge as a result of federal scenic legislation going to permit construction of new hotels, restaurants, gas stations, souvenier shops, and all of the many other tourist trap enticements in the Gorge? They cannot permit these and still maintain the natural beauty of the Gorge which they seek to preserve.

Tourism in the Gorge may be a wonderful thing for the business establishments of Portland, but it will do very, very little to improve the sad economic state of the Gorge communities.

I hope that at some future date I will be permitted to address you on the realities of impending population growth in the Gorge. It is as fictional as is the theory that we will prosper locally because of tourism.

Respectfully,

Glenn E Palmer

Glenn E. Palmer,
Commissioner

GEP:djd

The Columbia Gorge Protection Council

"Six Counties, One Aim — Gorge growth management through local controls"

BILL BENSON, Commissioner
Skamania County, Washington
Chairman

RICK CANTRELL, Commissioner
Wasco County, Oregon
Vice Chairman

GLENN PALMER, Commissioner
Hood River, Oregon
Secretary

MIN ASAI, Member
Oregon Gorge Commission

FRED HOLLY, Commissioner
Klickitat County, Washington

CLARENCE IRWIN, Member
Washington Gorge Commission

PERCY JENSEN, Member
Oregon Port Authorities

JOHN LUNDELL, Mayor
Oregon Cities

ELDON SAMS, Member
Washington Port Authorities

GORDON SHADBURNE, Commissioner
Multnomah County, Oregon

JIM WRIGHT, Mayor
Washington Cities

VERN VEYSEY, Commissioner
Clark County, Washington

This letterhead lists a group of elected officials of the six Gorge counties who have a long standing interest in management of the Gorge. We are anxious to work with all State and Federal officials in obtaining the concepts outlined in the recent announced positions of Governors Atiyeh and Spellman.

Glenn E Palmer

Glenn E. Palmer,
Secretary

K. W. KIRBY
ADMINISTRATIVE ASSISTANT

TEL. 386-3970

COUNTY OF HOOD RIVER
BOARD OF COMMISSIONERS

ELMER W. MURRAY, CHAIRMAN
RODGER A. SCHOCK – DISTRICT NO. 1
GLENN E. PALMER – DISTRICT NO. 2
SHIRLEY L. EKKER – DISTRICT NO. 3
JERRY ROUTSON – DISTRICT NO. 4
HOOD RIVER, OREGON 97031

Dear Senator - - - - - - -

You have asked me to keep you abreast of information relating to the controversial issue of proposed federal management of the Columbia River Gorge. Last week, at it's annual Convention, the Association of Oregon Counties again supported a Resolution supporting local government control of the Gorge.

The attached Resolution passed with only a single vote of opposition, that of Commissioner Buchanan of Multnomah County. It must be noted that neither of the two other, present and voting, Multnomah County Commissioners voted with Mr. Buchanan.

Additionally, I have received a report that a pre-election poll conducted in metropolitan Portland, by Moore Information Service, found that only 14% of those polled favored federal control of the Gorge. However, this may have already been brought to your attention.

In view of overwhelming support for local management of the Gorge by the elected County Commissioners of Oregon, and the possibility of only narrow metro-citizen support for federal control, I ask that you remember this before you succumb to the entreaties of Friends Of The Gorge. A reintroduction of any bill, similar to that you put into the hopper this past legislative year, only serves to intensify the fighting and thus makes it more difficult to reach a settlement that would be acceptable to the Gorge residents and the Portland people that Washington residents term the Wine and Cheese People.

Respectfully,

Glenn E. Palmer dja

copy: G. Shadburn
R. Cantrell
File

RESOLUTION #16

COLUMBIA RIVER GORGE

WHEREAS, In Oregon, land use within the Columbia River Gorge is controlled by Gorge Overlay Zones within the Comprehensive Plans of Multnomah, Hood River and Wasco Counties; and

WHEREAS, in Washington State, Klickitat, Skamania and Clark Counties have adopted, or are in the process of adopting, zoning laws for the Gorge; and

WHEREAS, over 80 percent of Oregon Gorge land is in public domain, entailing many federal, state and local agencies;

NOW, THEREFORE, BE IT RESOLVED that the Association of Oregon Counties go on record as supporting the concept that local county and city governments should be the principal bodies in the adoption and enforcement of land use regulations within the legally established boundaries of the Columbia River Gorge.

Adopted by the AOC membership in conference
on November 20, 1981.

Certified by: Bill Peculon
Senior Executive Assistant
Association of Oregon Counties

Senator HATFIELD. Thank you, Commissioner.

[Applause.]

Mr. Rodger Schock.

STATEMENT OF RODGER A. SCHOCK, COUNTY COMMISSIONER, HOOD RIVER COUNTY, OREG.

Mr. SCHOCK. Senator, thank you for coming. We've all been anxiously awaiting your arrival, I think, for one reason or another.

I'm a county commissioner from Hood River. I'm elected from a district that includes a 20-mile portion of the gorge from the city of Hood River to the city of Cascade Locks. As a result of this fact and my deep concern that the natural beauty of the area be protected, I join with those who are drafting legislation to insure that the gorge retain the fantastic attributes that it has today.

It was not our initial intention or ever our intention to create a massive Federal land grab, as some might have you believe. I fervently disagree that the language of the legislation before you would permit such a course of action.

It is, however, a concecrn of mine that the residents of the area be involved as much as possible in the decisionmaking process that will impact their lives and the communities in which they live. I believe that the regional management concept offered by Governors Atiyeh and Spellman will work, and should be refined and included in the legislation. Local governmnet cannot do the job alone. We've taken 2 years proving that, I believe. We desperately need the glue of the Federal Government to hold us all together beyond our next local election.

A comprehensive land use plan must possess the security of time to succeed, and only you and your colleagues in Washington can give us the time that we need to do the job.

I suspect that you'll hear much support today for the draft concept proposed by our two Governors. I feel that they've done an excellent job in producing a compromise which both factions in the gorge can support.

I would caution you, however, not to throw out the baby with the bathwater. Where are the provisions in the plan for a viable interim management plan? Where does it exclude the cities and the port areas, urban growth boundaries from the management plan? Where does it require a willing seller in the case of acquisition? Where does it provide, most importantly, for a longevity of the management commission beyond the creation of the management plan?

You have before you a piece of legislation which involved a great deal of thought, effort, and concern for the gorge and its residents. Changes should be made to it, compromise reached, and the result should be a document which we can all support.

I'd make a further comment beyond my statement that I wrote. Land use planning is a difficult process. It's a very complex process. It's easy to legislate land use programs. When it gets back to the area where the plan is developed and enforced, it becomes quite a different problem.

Those of us who live in the gorge in the areas to be zoned eventually are going to be dealing with applicants who live next door to us and who live down the street from us, and who are related to us one way or another. The process tends to get cluttered up at that time.

If you choose and are able to convince your colleagues in Washington to give us a piece of legislation which will impose land use mandates to us, do so with the knowledge that we need to have the security of time to develop that plan, and to maintain it, and to enforce it. It's a difficult process.

I'd comment one thing further. A lot has been said about the acquisition techniques and processes that the Federal Government has pursued throughout the Nation. I haven't conducted an exhaustive study of what the Federal Government has done, but I have watched it happen here in the gorge. I've watched the Forest Service come to the Hood River County Commission on two occasions. They had willing sellers for privately owned lands. They came to us for our permission to buy that land. There was opposition to that request. The first request that came to us we put off for a year. We weren't satisfied with all of the amenities to it.

After a year's time the Forest Service came back, we gave our approval, and only then did they purchase the land. That happened on another occasion just recently.

My point being local government is playing a role in the gorge with Federal lands at this time.

Thank you.

Senator HATFIELD. Thank you, Mr. Schock.

Mr. Hobson.

STATEMENT OF KENNETH D. HOBSON, CITY ADMINISTRATOR, CITY OF CASCADE LOCKS, OREG.

Mr. HOBSON. Good morning. I very much welcome the opportunity today to represent the city of Cascade Locks.

The proponents that have initiated and supported this bill would have us believe, I think, that they are the knights in shining armor on swift, white horses come to save us from ourselves, and maybe a black knight subdivider that makes it across the 205 drawbridge.

The city of Cascade Locks will go on record today as being adamantly opposed to any rebirth of feudalism in the Columbia River Gorge. Eleventh century feudalism was based on a system of patronage, where the weak and poor in search of security gave up certain rights and vowed to serve faithfully the greater and wealthier power, the seigneur.

A thousand years later, it has a familiar ring to it. But, we affirm we are not the weak and the poor, the vassal in need of protection; we are the residents, the citizens, and in some part at least owners of the gorge, who have preserved its scenic quality and been productive citizens at the same time. We are not the weak and the poor who have been trampled over by zealous builders. We are the people in Oregon who have implemented one of the most far-reaching and progressive systems of land use controls in the country.

Thus, having done a very credible job of managing the lands in the gorge for so many years, we are asked to relinquish that role, and to the justification of the three threats of rapid population growth, uncontrolled development, and more than 50 jurisdictions. Our responses are simple and straightforward. Actual population decreased; the most far-reaching and progressive system of land use controls in the country; and, add one more jurisdiction.

Now, a few questions come to our minds. Isn't it the local residents who have preserved and protected the diverse, scenic quality we know so well, while the Federal Government has made what changes it felt best? Isn't it the Federal Government that doesn't have enough money to maintain and manage properly the holdings it's now responsible for? Isn't it the Federal Government that has been talking about returning more decisionmaking to local government? Doesn't the Federal Government own already most of the Oregon land proposed? Shouldn't the goals of this bill have already been substantially achieved?

Now, there's little doubt that local control is an issue here. But, just as importantly, it must be observed that this bill envisions a different gorge environment than exists today. We would suggest that proponents of this legislation would not be satisfied with a freeze of the status quo.

What we, I think, and other residents of the gorge are trying very hard to do is have you understand that there exists an economy in the gorge now; that we are the major part of that economy; and, if you propose to alter forever the gorge economy and our lives, then it should be very thoroughly studied and fairly evaluated before any irreversible actions are taken; and, that we, as residents of the gorge, should have the primary role in that determination.

Frankly, many persons in the gorge are mad, perhaps a little frightened, that the vise of losing traditional jobs and confiscation of private property may squeeze the life, as we know it, out of the Columbia River Gorge; and, then proponents would offer us some park space that we might come and visit in order that we could say "this used to be home".

The bill says lines will be drawn around existing cities and their urban growth boundaries. Now, unfortunately, our so-called immunity as a free city doesn't hold up very well under thoughtful examination. The city owns and operates an electrical utility extending approximately 20 miles outside the city. We have already lost many numbers of customers due to federally financed improvements and increasing landholdings in the gorge. Already 90 percent of Hood River County is federally owned. But, this act would go further still.

The tax burden on our city residents would increase as county lands were purchased by the Government. Tourists don't often go to the dentist or buy a home. For the tourists who are there driving our streets, using our parks, requiring our ambulance or our police services, who's going to pay for those?

Our concerns should be your concern. In feudal times, the request for outside intervention and protection came from the vassals. You can expect no such request from Cascade Locks.

Can the beauty of the gorge be preserved without this legislation? We answer that with a strong, simple, and affirmative "yes", and we look forward to our role in managing the Columbia River Gorge for future generations.

Senator HATFIELD. Thank you very much, Mr. Hobson.

[Applause.]

[The prepared statement of Mr. Hobson follows:]

TESTIMONY OF

Kenneth D. Hobson
City Administrator
City of Cascade Locks

Eugene Miller, Mayor

Councilpersons:

Marjorie Jackson
T. Dwarf
Fay Randolph
Sam Muncie
Joe Wrabek
Rogers Wheatley

PROPOSED LEGISLATION:

"Columbia River Gorge Act of 1983"

SUBCOMMITTEE ON PUBLIC LANDS
AND RESERVED WATER OF THE
SENATE ENERGY AND NATURAL
RESOURCES COMMITTEE

The Proponents that have initiated and supported this bill would have us believe that they are the knights in shining armor on swift white horses come to save us from ourselves and maybe a black knight subdivider that makes it across the 205 drawbridge. The City of Cascade Locks will go on record today as being adamantly opposed to any re-birth of feudalism in the Columbia River Gorge. Eleventh century feudalism was based on a system of patronage where the weak and poor in search of security gave up certain rights and vowed to serve faithfully the greater and wealthier power, the seigneur. This relationship between vassal and seigneur, significantly, was initiated by the vassal who sought the needed protection; the vassal in turn provided financial aid and entertainment to the lords.

A thousand years later it has a familiar ring to it. But we affirm we are not the weak and the poor, the vassal in need of protection. We are the residents, the citizens and in some part at least, owners of the Gorge--the ones who have preserved and protected the diverse scenic quality that we know so well. And we've been productive citizens at the same time. We are not the weak and the poor who have been trampled over by zealous builders. We are the pople who in Oregon have implemented one of the most far-reaching and progressive systems of land use controls in the country.

Thus, having done a very credible job of managing the lands in the gorge for many years, we are asked to relinquish that role. And the justification? First the "three threats" of "rapid population growth, uncontrolled development and more than 50 jurisidictions." Our responses are simple and straightforward, "actual population decrease, the most far-reaching and progressive system of land use controls in the country and add 1 more jursidiction."

The next justification is there's not enough local, state or federal money available to accomplish the goals of the bill. We're in agreement with that. Lastly, and this is really what has moved so many to respond so strenuously, the bill says to settle all land-use issues within the Gorge we should look to a single arbiter, the U.S. Secretary of Agriculture, who will apply the mandates of this bill. The response to that proposition will fill volumes.

A few questions come to our minds. Isn't it local residents who have preserved and protected the diverse scenic quality we know so well while the federal government has made what changes it felt best? Isn't it the federal government that doesn't have enough money to maintain and manage properly the holdings it's now responsible for? Isn't it the federal government that has been talking about returning more decision making to local government? Doesn't the federal government own most of the Oregon land proposed for this area already and shouldn't the goals of this bill have already been substantially achieved?

Objectives in the proposed bill and "principles for legislation" as presented in the governors' proposal are in many ways basically in opposition to one another. They are stated in terms of being compatible, but in reality are not. Each and every principle standing by itself is meritorious and nearly everyone can embrace them with enthusiasm. Add to these other equally laudable principles which local governments adhere to and we soon find there exists many competing objectives. The role, then, of local government is one of balancing these objectives and giving community direction.

There is little doubt then, that local control is an issue here; but just as importantly, it must be observed that this bill envisions a different gorge environment than exists today. We would suggest that proponents of this legislation would not be satisfied with "a freeze of the status quo." Residents, for the most part, believe that a good job has been done in balancing competing demands and envision that care for the scenic beauty of the gorge would continue. Proponents of this bill, we believe, are not particularly interested in a balance. The language in the bill talks about the continued vitality of gorge communities, but an honest assessment reads a very clear bias for a tourist, recreation environment.

What we, and other residents of the Gorge, are trying very hard to do, is have you understand that there exists an economy in the Gorge now, that we are the major part of that economy and that if you propose to alter forever the Gorge economy--and our lives--then it should be very thoroughly studied and fairly evaluated before any irreversible actions are taken and that we, as residents, of the Gorge, should have the primary role in that determination. Frankly, many persons in the Gorge are mad, and perhaps a little frightened that the vise of losing traditonal jobs and confiscation of private property may squeeze the life, as we know it, out of the Columbia River Gorge. Then proponents would offer us some park space that we might come and visit, in order that we could say, this used to be home.

The bill says lines will be drawn around existing cities and their urban growth boundaries. Unfortunately, our so-called immunity as a free city doesn't hold up very well under thoughtful examination. The city owns and operates an electrical utility extending approximately 20 miles outside the city. We have already lost many numbers of customers due to federally financed "improvements" and increasing landholdings in the Gorge; already 90% of Hood River County is federally owned, but this act would go further still. To the extent that we lose existing power customers or potential new customers, those remaining on the system pay higher rates. We are affected.

The tax burden on our city residents would increase as county lands were purchased by the government. As our tax rate increases, our citizens find it more difficult to finance needed city services. We are affected. Under this legislation we would expect the resident population of the gorge to decrease. To the extent this makes it impossible for businesses to survive simply due to number of customers, we would be affected. One cannot successfully make the argument that the potential of increased tourism will make up the difference. Tourists don't often go to the dentist or buy a home. And for the tourists who drive our streets, use our parks and require our ambulance or police, who will pay for those services?

Our concern should be your concern. What really would be the human and financial costs of such a change? If more timberland is reserved for scenic uses, what of our mill workers? If less land is taxable, who will pay more? If we changed your home against your will, wouldn't our concern be your concern?

Our record is not one of insensitivity; it is one of concern and care, no small part of which comes in knowing that it is our responsibility. But this legislation would change that relationship.

We wrote to Governor Atiyeh a year and a half ago that the basic premise of the legislation then was that we live in a beautiful place, but we're not capable of keeping it that way. We thought it said let's give the residents tenant rights and have a federal landlord keep our house in order for us. But it may be more sweeping than that--perhaps more akin to a federal reconstruction project with the blue prints drawn up by very dedicated and talented environmentalists. We are not the weak and the poor today; but as regards control of our land and in some cases our livelihood, we fear this legislation would have us the weak and the poor in the future.

In feudal times the request for outside intervention and protection came from the vassals. You can expect no such request from Cascade Locks. We conducted a survey throughout our service area; over 96% of the respondents stated they wanted to see a continuation of some form of local control. The percentage requesting federal protection and intervention, 1.6.

The City of Cascade Locks may be small and to many in this country (or even the state), insignificant; but we see it a little differently. We were the first customer of Bonneville power. We tackled an urban renewal project that we were told couldn't be done. We have the only municpally owned cable tv system in Oregon, because private enterprise said it wasn't feasible. And the Port of Cascade Locks will soon bring back sternwheeler traffic to the Columbia Gorge. We haven't been afraid of change. But is there a demonstrated need for this bill? Do we really need remote controlled bureaucrats making the decisions that vitally affect our lives? Who would really pay for this scenic area, and who would really benefit?

Can the federal government continue indefinitely acquiring more land--half of Oregon is federally owned now--and continue indefinitely trying to find the resources to maintain those holdings?

Can the beauty of the Gorge be preserved without this legislation? We can answer that with a strong, simple and affirmative yes. To the question of feudalism, no, we don't need the protection, we don't want to incur or pay un-needed expense and we don't want to entertain the lords.

We look forward to a careful analysis of why this legislation is being introduced. We look forward to an honest evaluation of the probable affects that this type of legislation would likely have on the Gorge economy and habitability for its residents. And we look forward to our role in managing the Columbia River Gorge for future generations.

RESOLUTION NO. 414

A RESOLUTION OF THE CITY OF CASCADE LOCKS IN OPPOSITION TO FEDERAL MANAGEMENT OR CONTROL OF THE COLUMBIA RIVER GORGE.

WHEREAS, Oregon Senate Bill 100 established statewide planning goals and guidelines and is acknowledged as one of the most progressive and far-reaching planning efforts in the country, and

WHEREAS, said legislation has been implemented locally through the State Land Conservation and Development Commission's acknowledgement of the city's comprehensive plan and urban growth boundary and similar plans are now being processed for Hood River County and other local entities, and

WHEREAS, said comprehensive plans incorporate local citizen involvement to a high degree and the council believes these local planning efforts are most desirable for planning and protecting our own land in the Gorge community, and

WHEREAS, it is our belief that there are more pressing needs and priorities for scarce federal dollars and that we cannot economically accept an ever-shrinking base of privately owned lands, and

WHEREAS, the results of a local survey distributed to all residents living between Bridal Veil and Wyeth showed only 1.6% of all respondents in favor of federal government management of the Gorge,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Cascade Locks, Oregon is opposed to any legislation which would provide for federal agency planning, management or control of any lands in the Columbia River Gorge other than that which those agencies may now control.

ADOPTED by the Common Council of the City of Cascade Locks this 10 day of January, 1983.

Mayor

ATTEST:

City Recorder

Senator **Hatfield**. Mr. Bill Dietz representing Mike Lindberg.

STATEMENT OF MIKE LINDBERG, COMMISSIONER, CITY OF PORTLAND, OREG., AS PRESENTED BY BILL DIETZ

Mr. **Dietz**. Thank you very much, Senator Hatfield.

Commissioner Lindberg regrets that he cannot be here this morning. He is out of town. He's asked me to read this testimony in his stead. So, I will use the words "I" and "me" meaning Commissioner Lindberg.

I am a member of the Portland City Council and a resident of the city of Portland. At my request, the city of Portland, on November 23, 1981, unanimously endorsed a national scenic area designation for the Columbia Gorge. The city has an investment in the gorge that dates from the time the scenic highway was built. At that time, in 1913, the call went out for volunteers to build the road. More than 100 Portland people showed up to work, and they built what is surely one of the greatest assets in the gorge. And it was Portland people who facilitated public ownership of the land surrounding the highway and waterfalls so that today we have 23 miles of protected land in the western end of the gorge.

For the city resident, the gorge is a brief half-hour from home, a marvelous opportunity unique in the United States of America. For the tourist, the gorge offers unparallelled scenic attractions, and these attractions are recognized by people residing far beyond the gorge. Japan Air Lines director of public relations for the Americas cites the Columbia River Gorge, together with the Oregon Coast and Mt. St. Helens, as a spot that would attract the Japanese tourist. There are now flights from Japan that land in Portland, and there will be more expansion of those flights to come.

The Portland Visitors and Convention Association also sees the gorge as an attraction that will bring more people and conventions to the city, and uses the gorge as a part of their package.

We have an undeniably unique resource at our doorstep, and with the proper care and management it can remain so that all—travelers from as far away as Japan, the same as residents from within the gorge—can continue to use and appreciate something truly wonderful, the Columbia Gorge.

The legislation under discussion today is what is needed if we intend in truth to preserve the spectacular area for future generations. If we want to insure that all jurisdictions operating in the gorge manage their programs consistent with scenic and historic values, we must be able to control the largest jurisdiction in the gorge, and that is the Federal Government. It takes Federal legislation to do that. If we want to put the gorge on the map, it will take a national designation to do that.

I fully support S. 627. It provides the minimum of protection for this great natural resource. As it is, it will take the good will and cooperation of everyone on the proposed 13-member commission to make the plan work. But, it can work, because the involvement of the U.S. Forest Service will provide the continuity, authority, and the expertise that is needed.

The Forest Service has a very successful record in the large area it manages in Oregon. It is a proven entity. The people in the area are comfortable with Forest Service personnel and management.

Another point I would like to make is that the hard work of many citizens has resulted in a very large public investment in lands in Oregon. There are national forest recreation lands and State parks whose value will surely be diminished by the commercial exploitation and subdivision of the lands which face them across the river.

Protection is very tentative in many areas of the Oregon Gorge at the present time, especially in the western Gorge in east Multnomah County, where county zoning is holding the line. However, zoning is subject to the whims of political change and is really a tool for development rather than protection. For that reason, and others, the national scenic area legislation is most important.

The recent proposal by the Governors of Oregon and Washington will encourage Federal legislation. That legislation must be carefully crafted to address all interests and to provide true protection for the gorge. S. 627 does that.

While I have not analyzed in depth the principles and key elements proposed by the Governors, it does leap out at me that I have never seen an effective 23-person commission, and I don't think I ever will see one here. I'm especially concerned that the management plan would need majority approval from both States to be accepted.

We've spent a lot of years talking about the gorge. We've spent a lot of time and money, while failing to protect it with halfway measures. Now it is time to bite the bullet and really get the job done. S. 627 can really do the job.

Thank you very much.

Senator HATFIELD. Thank you very much, Mr. Dietz.

Mr. Bauman. Mr. Rick Bauman?

[Pause.]

Ms. Lorna Stickel, in lieu of Linda Macpherson.

STATEMENT OF DENNIS BUCHANAN, COUNTY EXECUTIVE, MULTNOMAH COUNTY, OREG., AS PRESENTED BY LORNA STICKEL

Ms. STICKEL. Senator Hatfield, thank you for the opportunity to speak. My name is Lorna Stickel and I'm the acting planning manager for Multnomah County. I'm presenting testimony for Dennis Buchanan, the elected county executive, who is away from Portland this week and not able to be here today.

Through past Board of County Commissioner resolutions and testimony provided by the county executive, it is clear that Multnomah County supports the formation of the national scenic area for the Columbia Gorge. I am here to convey that firm position.

It is possible to drive through the gorge today and get some feeling of the majesty that the early explorers and settlers must have sensed in this gateway to the Pacific. It is perhaps this sense of timelessness about the gorge that lulls the mind into thinking that little has changed. Yet there are signs that clearly indicate that the gorge is in trouble.

To understand the problems facing the gorge, one has to look deeper to realize both the magnitude and urgency for action. Although a fairly large portion of the gorge in Multnomah County is already in public ownership, you do not have to look to the other counties to see a number of the issues.

First, Multnomah County epitomizes the problems related to timber harvest regulations. Even within this county, there are several thousand acres of forested land. Commercial timber harvest is a legitimate use of lands in the gorge, but visual standards need to be applied, which serve both the public and the economic interests of the landowner. This is a task which is beyond the resources of most local jurisdictions, and one which neither State has chosen to address through their forest practice acts.

Second, the gorge is the closest place for thousands of metropolitan residents to recreate, and most of them choose the Oregon parks because they're the only ones available. The overuse of these parks has led to severe problems with parking, vegetation damage, and crowd control.

Third, although I do not believe that the gorge faces imminent danger from development pressure, my county again does represent the slow process that is taking place. It's easy to look at the forested hillsides in the gorge and see only the trees. A look at a property map for the same area would reveal a much different picture. Year by year, more land is split and sold into multiple ownerships. With easier access to the Portland metropolitan area from I–205, and the development of industrial lands in eastern Clark County, the pressures to develop land in the western gorge are real; and, cumulatively, the impact is starting to grow.

It is this last point which leads me to the most serious problem facing the gorge today and of which my county is a part. Everyone recognizes that the presence of thousands of people who live and make their livelihood in the gorge and their right to be there is not at issue. It's the manner in which decisions are made in the gorge which legitimately causes concern.

The issue here is one of scale. If the gorge were only an area of purely local or regional interest, without many of its outstanding features, then matters of land use decisions could easily be made on a county-by-county basis within the framework of current State and Federal law. In many circumstances, purely local jurisdiction over land use is the proper means of control.

But, in this case, it is just not sufficient. No matter how capable those units may be, the concerns and issues are too broad. The problems of the gorge require a solution which gets at the interjurisdictional issue, while allowing all the affected parties a part of the process. The only way we know for this to happen is through Federal legislation that assists the two States and all the jurisdictions to work together for a common purpose.

The committee has asked that we comment on the recent Governors' proposals for the gorge. Multnomah County commends both Governors for their efforts in this direction. The proposal is a recognition that the two States need Federal legislation to move toward integrated management that will protect the gorge from a gate that no one wants to see. We support almost all the 22 principles of their proposal, except those that specify how the management plan will be adopted, and the reliance on good faith in the interim before any management plan is adopted.

The basic tenets of real partnership, an enforceable management plan for the gorge, the identification and protection of critical lands, and the maintenance of the gorge communities, economy, and historic uses are vitally important. It is in some of the methods to achieve the principles that we feel this proposal falls short.

In all fairness, the Governors' proposal does not have the level of specificity outlined in S. 627 which make any direct comparison perhaps a bit premature. In general, however, the county executive supports most of the provisions of the Senate bill you have before you, because it recognizes a real partnership between State, Federal, and local entities, and establishes a means to protect the gorge while the management plan is being prepared.

The Senate bill directly addresses the problems facing the gorge today and brings all resources and interests to bear on them. Federal legislation, as the county sees it, is only the beginning, a stepping-off place to start looking at the gorge and treating it as the very special place that it is.

Thank you.

Senator **Hatfield.** Thank you, very much.

Thank you very much, panel, for your presentation this morning. Now we'd like to invite Ms. Russell, Mr. Cannard, Mr. Williams, Mr. Vaughn, and Mr. Clark.

Ms. Russell.

STATEMENT OF NANCY RUSSELL, CHAIRMAN, FRIENDS OF THE COLUMBIA GORGE

Ms. **Russell.** Thank you, Senator Hatfield. I am Nancy Russell, chairman of Friends of the Columbia Gorge.

The effort to provide some sort of permanent and effective protection for the Columbia Gorge is almost 50 years old. For the record, I submit herewith a 1937 report, "The Columbia Gorge, Conservation and Development."

There is simply no question about the overwhelming sentiment that supports the effort to provide this protection; nor is there any question that the Columbia Gorge is a major national tourist attraction and recreational area.

Friends of the Columbia Gorge was formed November 18, 1980, to accomplish, before it is too late, what so many people have wanted so long to have accomplished: A lasting and effective plan for the protection of the remaining significant scenic areas of the gorge, the preservation of its visual and historic values.

The catalyst for formation was a planned subdivision in Skamania County, Wash., across from Multnomah Falls, Oreg., that did not follow procedures required by both Washington State and Skamania County statutes. The subdivision was also contrary to the goals of the very weak Columbia Gorge Commission management plan.

This subdivision of dubious legality was given a green light by Skamania County. Subsequently, the development was stopped by a judicial injunction.

The central issue before us is whether or not the famous Columbia River Gorge is to be subdivided and suburbanized. Pressure for subdivision was forecast by the Park Service study of alternatives of April 1980. No specific solution was advocated by the Park Service. The report documented all the elements now in place that would ensure adverse development. The completion of the new Interstate 205 bridge across the Columbia, and the massive growth underway in eastern Clark County, Wash., or both housing and industry, will have the most significant impact as development spills over into the gorge itself.

Recent data released by the Gorge Commission shows the extent of short-platting that has already occurred in the most sensitive western part of the gorge. I submit here for the record an article that includes an analysis of the effects of subdivision in the gorge by John Yeon, a prominent architect. Also, I submit the Gorge Commission data on existing short plats in Skamania County, and four photographs of land in Skamania County and one of land in Clark County, Wash., that is subject to intense pressure for development.

The proposal Friends of the Columbia Gorge developed to deal equitably with the pressures threatening the gorge's integrity is embodied in the legislation under discussion here today, S. 627. It is a realistic, minimum arrangement for protecting the critical areas from damaging and permanent change, and providing a process for development of a management plan for both sides of the river. The stability provided for the area under S. 627 will attract the private, State, and Federal funds so much needed for acquisition of threatened properties. It is a protective plan, not just for the moment, or for 1 year, but for all time. Let's look at what the bill does.

It establishes a national scenic area boundary that encompasses both sides of the river. It creates a single management unit within the boundary for development of a scenic area plan. It establishes interim guidelines to protect the area until the management plan is in place. It excludes from the area incorporated cities and their urban growth boundaries. It identifies critical areas for special treatment. It provides for the use of condemnation authority on in these critical areas. It establishes a commission representing local, State, and Federal interests to develop a national scenic area plan. It provides that the U.S. Forest Service administer the area and facilitate land exchanges, easements, and acquisitions. It authorizes the use of land and water conservation fund moneys.

The bill supported by Friends of the Columbia Gorge and introduced by yourself and Senator Packwood has the unswerving support of the major conservation organizations in this country and of the media. It has the active and enthusiastic support of many business and political leaders. I submit for the record a list of our supporters.

On May 15, 1983, the Governors of Oregon and Washington released a joint statement on the Columbia River Gorge which enumerated eight key elements for legislation and 22 principles for legislation regarding protection of the Columbia Gorge.

On the whole, Friends of the Columbia Gorge is in agreement with the great majority of elements and principles. Many of them are embodied in S. 627. We do have some major points of concern, which I will summarize here.

First, there is nominal Federal involvement, which seems inappropriate because of the large landholdings of the Forest Service, and because the Federal Government is expected to provide the majority of funds required to carry out the Governor's legislative proposal.

Second, there is no provision for interim protection.

Third, there is no provision for condemnation authority which would assure landowners a fair market value.

Fourth, the plan would create a new, untried, and, in our opinion costly and unwieldly government entity. We will submit an analysis of the Governors' principles and key elements as they compare with the Hatfield-Packwood bill, S. 627, within 2 weeks.

Thank you for the opportunity to appear here today.

Senator HATFIELD. Thank you.

[The prepared statement of Ms. Russell follows:]

FRIENDS OF THE COLUMBIA GORGE

Testimony of Nancy Russell
appearing before the
Public Lands and Reserved Water Senate Subcommittee of the
Senate Committee on Energy and Natural Resources
March 25, 1983
B.P.A. Auditorium, Portland, Oregon

The effort to provide some sort of permanent and effective protection for the Columbia Gorge is almost 50 years old. For the record I submit herewith the 1937 report, "The Columbia Gorge, Conservation and Development." * In all the years since that report, little or nothing that could be regarded as either permanent or effective was achieved. Most of the parks were established long ago. The large Federal ownership administered by the Forest Service dates from the early years of the century. Repeatedly, the many jurisdictions and the vast inertia and resistance to change have thwarted efforts to do what the vast majority of the residents of both Oregon and Washington have enthusiastically favored: protection of the critical areas of the Columbia Gorge so that its natural grandeur and recreational assets will be there to enjoy not only for us today, but for the vast numbers who will live here and visit the Northwest in the future.

There is simply no question about the overwhelming sentiment that supports the effort to provide this protection. Nor is there any question that the Columbia Gorge is a major national tourist attraction and

*Attachment #1

recreational area. On an average May weekend in 1980, 900 persons a day visited Crown Point, Oregon. During a two week period of the same month visitors representing all the states in the Union and 29 foreign countries were represented.

Friends of the Columbia Gorge was formed November 18, 1980 to accomplish, before it is too late, what so many people have wanted so long to have accomplished: a lasting and effective plan for the protection of the remaining significant scenic areas of the Gorge--the preservation of its visual and historic values.

The catalyst for formation was a planned subdivision in Skamania County, Washington across from Multnomah Falls, Oregon that did not follow procedures required by both Washington State and Skamania County statutes. The subdivision was also contrary to the goals of the very weak Gorge Commission Management Plan. This subdivision of dubious legality was given a green light by Skamania County. Subsequently, the development was stopped by a judicial injunction.

The central issue before us is whether or not the famous Columbia River Gorge is to be subdivided and suburbanized. Pressure for subdivision was forecast by the Park Service Study of Alternatives of April 1980. No specific solution was advocated by the Park Service. The report documented all the elements now in place that would ensure adverse development. The completion of the new Interstate 205 Bridge across the Columbia and the massive growth underway in easternClark County, Washington of both housing and industry will have the most significant impact as development spills over into the Gorge itself. Recent data released by the Gorge Commissions shows the extent of short platting that has already occured in the most sensitive western part of the Gorge. I submit here for the record an article that includes an analysis of the effects of subdivisions in the Gorge by John Yeon, a prominent architect.* Also, I submit the Gorge Commission data on existing short plats in Skamania County* and four photographs of land in Skamania County and one of land in Clark County, Washington that is subject to intense pressure for development.*

The proposal Friends of the Columbia Gorge developed to deal equitably with the pressures threatening the Gorge's integrity is embodied in the legislation under discussion here today, S 627. It is a realistic, minimum arrangement for protecting the critical areas from damaging and permanent change and providing a process for development of a management plan for both sides of the river. The stability provided for the area under S 627 will attract the private, state, and federal funds needed for acquisition of threatened properties. It is a protective plan not just for the moment, or for a year, but for all time.

Let's look at what the bill does:

1. Establishes a National Scenic Area boundary that encompasses both sides of the river, the two states, and multiple jurisdictions.

2. Creates a single management unit within the boundary for development of a Scenic Area plan.

3. Establishes interim guidelines to protect the Area until the management plan is in place.

4. Excludes from the Area incorporated cities and their urban growth boundaries.

---

* Attachments #2, 3, and 4.

Page Four

5. Identifies critical areas (about 10% of the total Area) for special protective treatment.

6. Provides for the use of condemnation authority only in these "critical areas."

7. Establishes a commission representing local, state, and federal interests to develop a National Scenic Area plan.

8. Provides that the U.S. Forest Service administer the area and facilitate land exchanges, easements and acquisitions.

9. Authorizes use of Land and Water Conservation Fund moneys.

The bill supported by Friends of the Columbia Gorge and introduced by yourself and Senator Packwood has the unswerving support of the major conservation organizations in the country and of the media; It has the active and enthusiastic support of many business and political leaders. I submit for the record a list of our supporters.*

Friends of the Columbia Gorge has a membership of 1,500 persons, and 11,000 have signed a petition in favor of the National Scenic Area. We are supported by a vast cross section of citizens who know and love the Columbia Gorge. The majority of our Board of Directors lives in the Gorge. They support our efforts because they want the Gorge protected. Not a single member of our group expects to gain economically from their support of our proposals.

On May 15, 1983, the Governors of Oregon and Washington released a "Joint Statement on the Columbia River Gorge" which enumerated eight "Key Elements" for legislation and twenty-two "Principles for Legislation" regarding protection of the Columbia Gorge.

* Attachment #5

On the whole Friends of the Columbia Gorge is in agreement with the great majority of elements and principles; many are embodied in S 627. We do have some major points of concern which I will summarize here:

1. There is nominal Federal involvement, which seems inappropriate because of the large landholdings of the Forest Service and also because the Federal government is expected to provide the majority of funds required to carry out the Governors' legislative proposal.

2. There is no provision for interim protection.

3. There is no provision for condemnation authority which would assure landowners of fair market value for their property.

4. The plan would create a new, untried, and, in our opinion, costly and unwieldly governmental entity.

We will submit an analysis of the Governors' Principles and Key Elements as they compare with the Hatfield/Packwood Bill, S 627, within two weeks.

Thank you for the opportunity to appear here today.

Respectfully submitted,

Nancy N. Russell

Nancy N. Russell

Senator HATFIELD. Mr. Cannard.

STATEMENT OF DAVID L. CANNARD, VICE CHAIRMAN, FRIENDS OF THE COLUMBIA RIVER GORGE

Mr. CANNARD. My name is Dave Cannard. I'm one of the founders and vice chairman of Friends of the Columbia Gorge. I was born in Portland, Oreg., and have lived in Vancouver, Wash., since 1937. I would like to address my remarks to the impending population explosion taking place on the Washington side of the river.

Following World War II the population of Vancouver was approximately 17,000, and the county not much greater. Today Clark County's population is close to 200,000. The rate of growth and expansion has been phenomenal and has been repeatedly reported in the press as the fastest-growing county in the Northwest.

This rate of growth and expansion has brought new industry and new housing developments spilling into the eastern end of Clark County. Add to that the opening of the I–205 bridge on December 15, 1982. The anticipated 27,000 cars a day pouring into eastern Clark County turns out to be 37,000 cars a day. The eastern end of Clark County and the western end of Skamania County are now 12 minutes apart.

The population of eastern Multnomah County is in excess of 1,000 people per square mile, Skamania County less than 10 people per square mile. The past 2 years has seen the location of new plants for Tektronix, Hewlett-Packard, and SEH America in the eastern end of Clark County. Tektronix and Hewlett-Packard project 8,000 new employees in the next 15 years.

To get this figure in perspective, we need to realize that the 8 largest employers in Clark County today, including the school districts and the two hospitals, employ less than 8,000 people.

There is a planned housing development for 45,000 people taking place in eastern Clark County.

As you move eastward into the portals of the gorge, much of the area has been short-platted, a means of dividing into smaller parcels from large ownerships. I've enclosed also the gorge committee staff report. It makes very fascinating reading.

Realtors will tell you that once there is an easing of mortgage money, business will be brisk in the new and second home market. This area in the western end of the gorge, on the north shore, in Washington, lies opposite the 23 miles of parklands, and is pointed out on the map on the wall. The warm colors are the protected areas. You'll notice the configuration.

A history of State and local inaction on the Washington shore has resulted in little protection, minimum park areas, no developed viewpoints, and practically no river access. There are a few self-serving realtors who will say that the issue is property rights. Property rights are very sensibly handled in your bill. This is not the issue.

There will be efforts by an organization of absentee landowners and developers to say their approach is more moderate than S. 627 and should be embraced. Their immediate goal is to have a regional commission they can pack, and thus control. Throughout all of this, their goal is subdividing, development, and the sale of view sites. The evidence is found in their history. The leadership of these organizations do not have a track record of having been involved in the underlying development of sensitive land use plans and the protection of scarce or endangered natural resources. Additionally, most of the organizations are 7 months old or less.

The question to ask is, Where have they been since the first comprehensive study was developed by the Northwest Regional Commission 43 years ago last month? Where is the evidence of their concerns for the scenic, historic, geologic, and recreational facilities over the last several years that your legislation has been being developed? The overriding issue through all of this is the incremental development into and throughout the gorge.

With tongue in cheek I'd like to make a comment: If, by some wild stretch of the imagination, S. 627 is modified to allow them to gain the control they so fervently desire, then as a Washingtonian I would like to thank the Oregon congressional delegation and the Governor of Oregon on behalf of those individuals who will profit so handsomely. The work of Sam Hill, Samuel Lancaster, John Yeon, Simon Benson, the Portland Women's Forum. and countless others in developing 23 miles of the Oregon side of the gorge of untrammeled beauty will be the front yard of all the subdivisions developed on the Washington side of the river, and the views that have been provided for on the Oregon side of the river will be of suburbia, and our children and our children's children will be the losers in that scenario.

But, there is no doubt in my mind that that scenario will not come to pass. We all remember the legacy left by Teddy Roosevelt and Gifford Pinchot. Can anyone remember who developed the bistate compact at Lake Tahoe? Would the designer of that compact want to be remembered?

We have within our grasp in 1983 the opportunity to protect the gorge forever. and I know, as certain as I'm sitting here, that the Oregon and Washington delegations and our respective Governors will grasp that opportunity and see it through to fruition.

I want to thank you for the tremendous leadership you've shown over the past 3 years on this subject, and pledge to you the continuing efforts of our organization for the benefit of all mankind.

[The prepared statement of Mr. Cannard follows:]

TO: SENATOR MARK O. HATFIELD, Senate Energy & Natural Resource Committee
U. S. Senate Portland, Oregon March 25, 1983

STATEMENT BY: DAVID L. CANNARD, CLU, 113 W. First St., Vancouver, WA 98660
Vice Chairman, Friends of the Columbia River Gorge

My name is Dave Cannard, one of the founders and the vice-chairman of the Friends of the Columbia Gorge. I was born in Portland, Oregon, and have lived in Vancouver, Washington since 1937. I will address my remarks to the development pressures that are threatening the preservation of the Columbia Gorge.

Following World War II, the population of Vancouver was approximately 17,000; Clark County's population was not much more. Today, Clark County's population is close to 200,000. The rate of growth and expansion has been phenomenal and has repeatedly been reported in the press as being one of the fastest growing counties in the State of Washington. This rate of growth and expansion has brought new industry and new housing developments spilling into the eastern end of Clark County. Add to that, the opening of the I-205 Bridge on December 15, 1982. The anticipated 27,000 cars a day pouring into the eastern end of Clark County turns out to be 37,000 cars per day. (Admittedly, some of these cars will be rerouted from the I-5 corridor, but not many, because the projections are that the I-5 traffic will not drop substantially.) The eastern end of Clark County and the western end of Skamania County are now 12 minutes from the fast-growing eastern end of Multnomah County.

The past two years has seen the location of new plants for Tektronix, Hewlett-Packard, and SEH America, Inc. (electronic firms) in the eastern end of Clark County. Tektronix and Hewlett-Packard project 8,000 new employees each over the next 15 years. To get this figure into perspective, we need to realize that 8,000 employees are more than the 8 largest employers now employ in Clark County. There is planned a housing development (Genstar Development, Inc.) for 45,000 people in the area adjacent to these facilities. The attached news article from The Oregonian, dated February 15, 1982, provides a comprehensive overview of the development taking place in Clark County.

As you move eastward into the portals of the Gorge, much of the area has been "shortplatted" -- a means of dividing into smaller parcels large single-ownership tracts of land. I have enclosed the Gorge Committee Staff Report which describes this rapid parcelization. The information is most revealing. Realtors will tell you that once there is an easing of mortgage money, business will be brisk in the new and second home market. This area, in the western end of the Gorge on the north shore in Washington, lies opposite the 23 miles of federal and state parks, scenic points and waysides located on the south shore in Oregon. If we lose this area to unnecessary housing and industrial developments, we will have finally succeeded in changing the character of the Gorge permanently. The Gorge survived many assaults from the Yacolt Burn of 1902 to the damming of its wild and rushing waters. It cannot survive concrete, paving, piping and pollution in what is left of its pristine landscape.

A history of state and local inaction on the Washington shore beginning with the original declination of Beacon Rock when offered by the Vancouver Biddle family to last year's declination of the Corps of Engineers'offer to build a fully-developed 63-acre park on the river at Home Valley has resulted in little protection, minimum park areas, no developed viewpoints and practically no river access.

There are a few self-serving realtors who will say the issue is property rights. Property rights are very sensitively handled in your Bill. That isn't the issue.

There will be efforts by an organization of absentee landowners and developers to say their approach is more moderate than S-627 and should be embraced. Their immediate goal is to have a regional commission they can pack and thus control. Throughout all of this their goal is subdividing, development, and sale of view sites. The evidence of this is found in their history. The leadership of these organizations does not have a track record of having been involved in the underlying development of sensitive land-use plans and the protection of the scarce or endangered natural resources. Additionally, most of the organizations are seven months old or less.

The question to ask: Where have they been since the first comprehensive study was developed by the Northwest Regional Commission 43 years ago last month? Where is the evidence of their concern for this scenic, historic, geologic, and recreation facilities over the last several years that your legislation has been being developed? The overriding issue through all of this is incremental development into and throughout the Gorge.

If, by some wild stretch of the imagination, S-627 is modified to allow them to gain control they so fervently desire, then as a Washingtonian I would like to thank the Oregon congressional delegation and the Governor of Oregon on the behalf of those individuals that will profit so handsomely. The work of Sam Hill, Samuel Lancaster, John Yeon, Simon Benson, Portland Women's Forum, and countless others in developing the 23 miles on the Oregon side of the Gorge of untrammeled beauty will be the front yard of all of the subdivisions developed on the Washington side of the river. And the views that have been provided for on the Oregon side of the river will be of suburbia. And our children and our children's children will have been the losers in that scenario.

But there is no doubt in my mind that that scenario will not come to pass. We all remember the legacy left by Teddy Roosevelt and Gifford Pinchot. Can anybody remember who developed the bi-state compact at Lake Tahoe? Would the designer of that compact want to be remembered?

We have within our grasp in 1983 the opportunity to protect the Gorge forever, and I know as certain as I'm sitting here that the Oregon and Washington delegations and our respective Governors will grasp that opportunity and see it through to fruition. I want to thank you for the tremendous leadership you have shown over the past three years on this subject and pledge to you the continuing effort of our organization for the benefit of all mankind.

SKAMANIA COUNTY WEST END
LAND USE AND PARCELIZATION PATTERNS

Gorge Commission Staff Report
February 2, 1983

I. Introduction

As the debate continues over the need for stronger protection of the scenic and natural values of the Columbia Gorge, reference to land use trends, especially in Western Skamania County, has intensified and increased. Those seeking stronger regional management have often stated that Western Skamania County is rapidly being platted into smaller lots, and an increase in residential construction will result from the recent completion of the I-205 bridge. Those opposed to stronger regional management, supporting instead local governmental control, have argued that topography, climate, access, septic tank limitations and uncertain water supplies will prevent intensive development of the area. As one local elected official has said, "God has zoned the Gorge."

Many of these observations, however, are unsubstantiated. Others are based on inconclusive, and possibly erroneous, information. The Gorge Commission staff has prepared this report in order to provide a more factual basis for interpreting land use trends in the study area.

This report is based on an indepth review of Skamania County's platting and assessor's records and on data obtained from the 1977 County Comprehensive Plan, the 1981 Gorge Study prepared by Jones and Jones, the 1980 National Park Service Study of the Gorge, several other studies and discussions with the county planning staff and assessor's office staff.

II. The Study Area

The study area is bounded on the west by the Skamania/Clark county line; on the north by the statutory Gorge boundary (R.C.W. 43.97) and the north boundary of Section 26, Township 2 North, Range 6 East; on the east by the east boundary of Sections 26 and 35, Township 2 North, Range 6 East; and on the south by the Columbia River. The study area contains approximately 10,504 acres, or 16.4 square miles.

III. Natural Features

Topography (See Slope Map, Exhibit 1)

In the western portion of the study area from the Skamania/Clark county line to Cape Horn, steep slopes and cliffs rise sharply from the river's edge to an elevation of 650 to 800 feet. At this elevation, the slopes become more moderate, continuing to rise to the north at 0-15 per cent and reaching an average elevation at the area's north boundary of over 1,000 feet, and a maximum of over 1,400 feet at the summit of Mt. Zion.

East of Cape Horn, slopes rise to the north from the river in three distinct drainage basins. Proceeding from west to east, the first basin is bounded by Cape Horn on the west and 1,700 foot Prindle Mountain on the east. The second basin is bounded by Prindle Mountain on the west and by Archer Mountain, elevation 2,012 feet, on the east. The third, and by far largest, basin is bounded by Archer Mountain on the west and by Hamilton Mountain, elevation 2,445 feet, on the east.

Unlike the western portion of the study area where slopes rise steeply from the river's immediate edge, slopes in each of the three drainage basins rise moderately in amphitheater-style until reaching the steep slopes, cliffs and ridgelines which mark the basins' northern limits. This distance may range from one-half to over three and a half miles.

Vegetative Cover

The predominate vegetative cover of the study area is mixed deciduous/confier forest. Notable exceptions, however, are:

1. The grassy pasturelands in the Mt. Pleasant/Mt. Zion area, and at the foot of Cape Horn.
2. The cottonwood/alder riparian vegetation along the river in Sections 1 and 12, Township 1 North, Range 5 East; Sections 3, 4, and 5, Township 1 North, Range 6 East; and Sections 34 and 35, Township 2 North, Range 6 East.

IV. Land Use

The predominate land use within the study area at this time appears to be forestland/open space. This is not intended to imply, however, that the majority of lands are actively being managed as commercial timberland, for they are not. As previously noted, most forestland within the study area is a mixture of deciduous and conifer species, predominately deciduous. Such stands are normally of low commercial value and no significant effort has been made to convert these lands to more valuable uniform conifer stands.

The finding that forestland/openspace is the predominate land use is based on the observation that forest is the predominate land cover and that over 75 per cent of the study area is composed of parcels over 20 acres in size, a majority of which are unoccupied. Industrial forest landowners, including the State Department of Natural Resources (DNR) currently hold only about 1,200 acres, or about 11 per cent, of the study area.

Following forestland/open space, the major land use is rural residential development. Over 23 per cent of the study area has been divided into parcels 20 acres or smaller. Over one-third of these parcels are occupied by dwelling structures. The third major land use within the study area is dry pasture and hayland. Approximately 900 acres is in such use, primarily in the Mt. Pleasant and Cape Horn areas, according to the Soil Conservation Service.

V. Parcelization

Exhibits 2 through 7 summarize the pacelization and ownership information for the study area. In general, the information shows that:

A. 111 parcels over 20 acres in size occupy 76.6 per cent of the study area or 8,048 acres.

B. 529 parcels 20 acres or less in size occupy 23.4 per cent of the study area or 2,456 acres.

C. 245 parcels have improvements (dwelling structures).

D. 87.1 per cent of the study area or 9,145 of 10,504 acres are privately held.

The value of this infomation in understanding the implications of parcelization is limited, however, unless platting practices and the distribution of various parcel sizes throughout the study area are considered.

Rather than encouraging compact, clustered and efficient residential land division, Skamania County's platting ordinances, like those of many other Washington counties, have actually encouraged widely dispersed rural land divisions that create relatively large residential lots. This situation results for several reasons. First, large rural acreages are likely to be less expensive and more available than comparable parcels in or around existing communities or towns. Second, development standards are generally less stringent and, therefore, less costly to the developer on large lot rural land divisions than on medium and high density developments. This is certainly true in Skamania County where land divisions creating lots two acres or more do not require the developer to install water or sewage disposal systems.

The economic advantages to the developer for large lot rural land divisions have in the past been further complemented by the practice of short platting or, more simply, dividing a parcel into four or fewer lots. Prior to 1974, there were essentially no development requirements for such land divisions. Between 1974 and 1980, the county short plat ordinance provided only minimal standards for such land divisions and then applied only when the smallest lot created was less than ten acres. Today, although short plats must be fully surveyed and have developed access to county standards, a developer is still able to avoid the public hearing process and engineering requirements by short platting.

By reviewing the county platting records and assessor plat maps, it is clear that the impact of the platting practices discussed above have been felt in the study area. Only 39 recorded plats, four long and 35 short, are filed for lands in the study area. When adjusted to allow comparison with current records, these plats accounted for only about 35 per cent of the existing parcels. Since nearly 98 per cent of these platted lots were less than ten acres, it is apparent that nearly all lots ten acres or greater were created without being platted.

The Exhibit 8 map shows the current parcelization status of the study area using six lot size categories. There are five major areas where substantial amounts of land have been platted in lots 20 acres or less in size.

Working from west to east, the first of these areas is found in the Cape Horn/Mt. Zion area. Lands in the NW¼ of Section 16 and the SW¼ of Section 9, Township 1 North, Range 5 East have been largely divided into lots from five to 15 acres in size. Only 18 per cent of the parcels in Section 9 and five per cent of the parcels in Section 16 have dwellings on them.

The second area of significant parcilization is the community of Prindle in Section 11, Township 1 North, Range 5 East. Here nearly 60 per cent of the land is divided into lots 20 acres or smaller. Unlike the Cape Horn/Mt. Zion area, Prindle is an established community with over 47 per cent of its parcels occupied by dwellings.

Continuing east, the third area of parcelization lies along Smith-Cripe and Sneider-Barks roads in the W½ of Section 6, Township 1 North, Range 6 East and the SW¼ of Section 31, Township 2 North, Range 6 East. Although these lands are designated by the Skamania County Comprehensive Plan as having severe limitations for septic tanks and road construction and as having slopes generally in excess of 15 per cent, they have been extensively divided into parcels less than ten acres in size. Further more, nearly 30 per cent of these parcels have dwelling structures. In view of the substantial diversity in lot sizes (five to 20 acres) within this general area, further division of larger parcels should probably be anticipated.

The fourth area of significant parcelization generally encompasses those lands east of Archer Mountain, west of Duncan Creek and north of SR-14. This area of approximatley 1400 acres contains the greatest mixing of parcel sizes within the study area. Parcels 20 to 40 acres in size are widely dispersed with parcels ten to 20 acres, five to ten acres, and two to five acres in size. The average parcel size is about 15 acres and parcels less than 20 acres in size occupy nearly 42 per cent of the area. Overall, 34 of the 90 parcels have dwilling stuctures. In view of the wide parcel size mixing, some future in-filling will probably occur through the further division of parcels between 20 and 40 acres in size.

The final major area of parcelization is the community of Skamania, more specifically section 34 and the S½ of section 27, Township 2 North, Range 6 East. Like Prindle, parcels are generally small, averaging 3.7 acreas in section 34, for example. Further, nearly 46 per cent of the parcels have dwellings. Future development in the community will likely take place through further division of larger parcels within sections 27 and 34.

Beyond these five areas of major parcelization, several other observations should be made. First, there is a tendency for small lots(two to five acres) along SR-14, especially west and east of Prindle and east of Skamania. These could result in residential strips along the highway if fully developed.

Finally, most areas currently occupied by parcels 40 acres and larger appear to be protected from further division for a variety of reasons including topography, access and public ownership. There are several important exceptions, however, where large parcels are physically suitable for development but are currently being retained in an undivided state, presumably due to the desires of the owners. These include the dry pasture and hayland in the Mt. Pleasant area and at the foot of Cape Horn, the Franz and Arthur Lakes area, the pastureland west and east of Skamania Landing and south of SR-14, and the moderately sloped areas of Sections 1 and 2, Township 1 North, Range 5 East.

VI. Summary

Substantial land division has occurred primarily in five general areas within the study boundary. These areas are:

A. Cape Horn/Mt. Zion
B. Prindle
C. Smith Cripe/Sneider-Barks Road (Sasquatch Creek drainage)
D. Duncan Creek/Archer Mountain Road (East of Archer Mountain, West of Duncan Creek)
E. Skamania/Beacon Rock

These areas include much of the moderate sloping lands within the study boundary.

Encouraged by lax land use and platting controls, land divisions have occurred in a leapfrog, haphazard manner, affecting nearly one-third of the land within the study boundary. As a result, a patch work pattern of parcel sizes exist over relatively large areas of land.

Areas remaining in large acreage parcels are, to some extent, protected from extensive land divisions by topography, access and public ownership. However, 25-30 per cent of the land in larger than 40 acre parcels appears to have no substantial physical limitations for development beyond those found in areas undergoing substantial division.

Without a change in land use and platting regulations, it is likely that land divisions creating lots from five to 20 acres in size will continue over areas of moderate slope. The ultimate lot sizes in moderate slope areas will probably be determined by localized topography and limitations for water and sewage disposal systems.

TOWNSHIP/RANGE/SECTION: ALL SECTIONS[A]

STRATIFICATION OF PARCELS BY SIZE

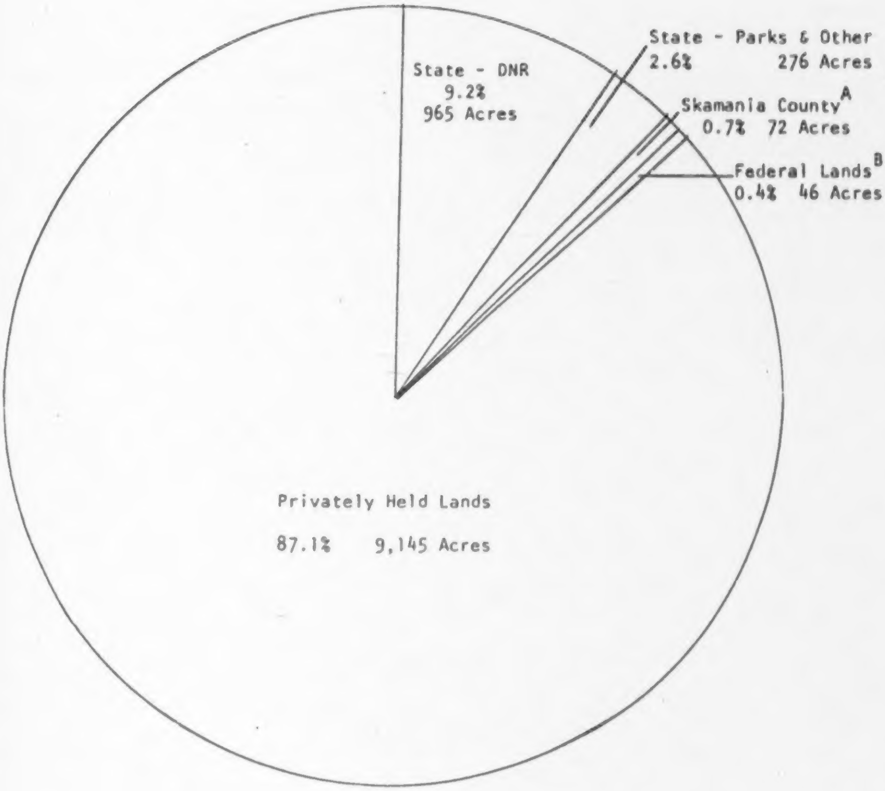
SIZE	PARCELS	IMPROVEMENTS (% Of Parcels)	ACRES	% OF TOTAL SECTION ACRES
0.00 to 2.00	217	106 (49)	132.08	1.3
2.01 to 5.00	131	35 (27)	442.52	4.2
5.01 to 10.00	97	38 (39)	775.88	7.4
10.01 to 20.00	84	26 (31)	1,105.74	10.5
20.01 to 40.00	57	19 (33)	1,976.88	18.8
40.01 and up	54	21 (40)	6,071.24	57.8
TOTAL	640	245 (38)	10,504.34	100.0

NOTES: A. All sections within the statutory Gorge boundary between the Skamania/Clark county line and Beacon Rock. (See study area map.)

-EXHIBIT 3-

LAND OWNERSHIP

(100% = 10,504 acres)



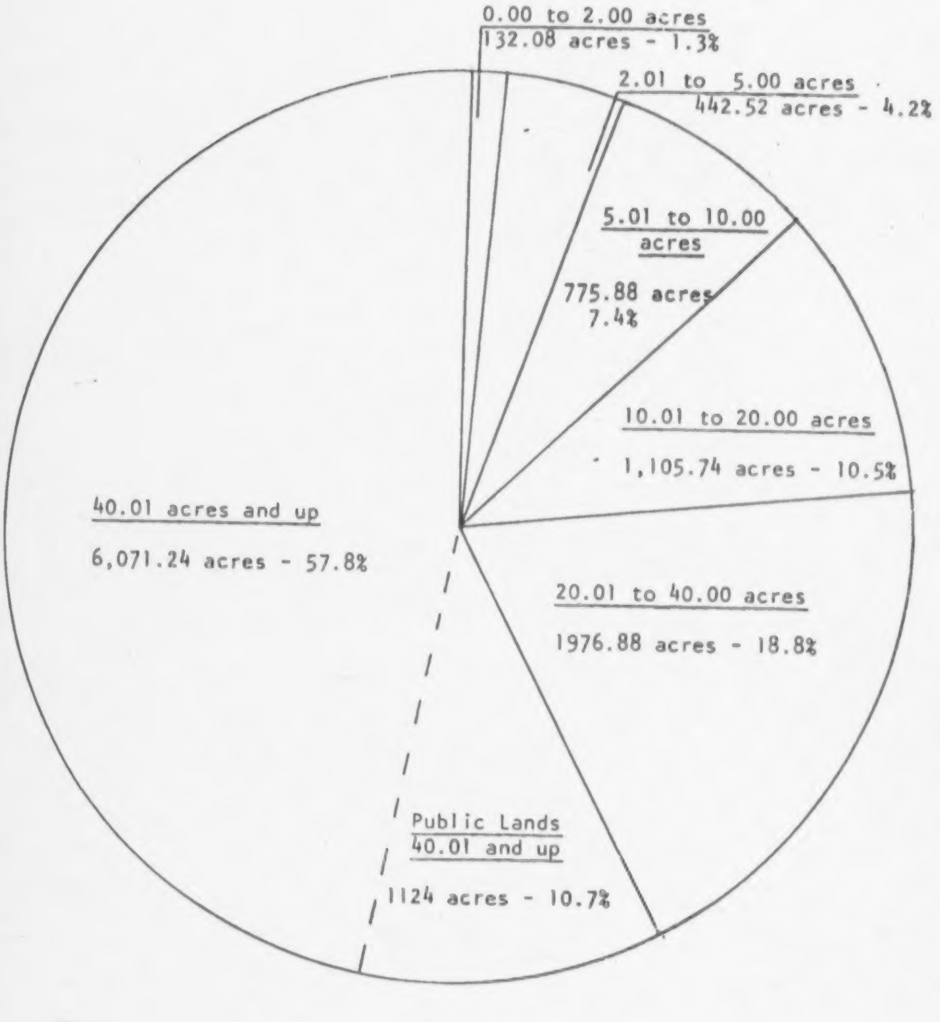
A. Skamania County includes the county as well as school districts, fire districts and the PUD.

B. Federal lands include BPA and Corps of Engineers.

-EXHIBIT 4-

ACRES BY SIZE CATEGORY

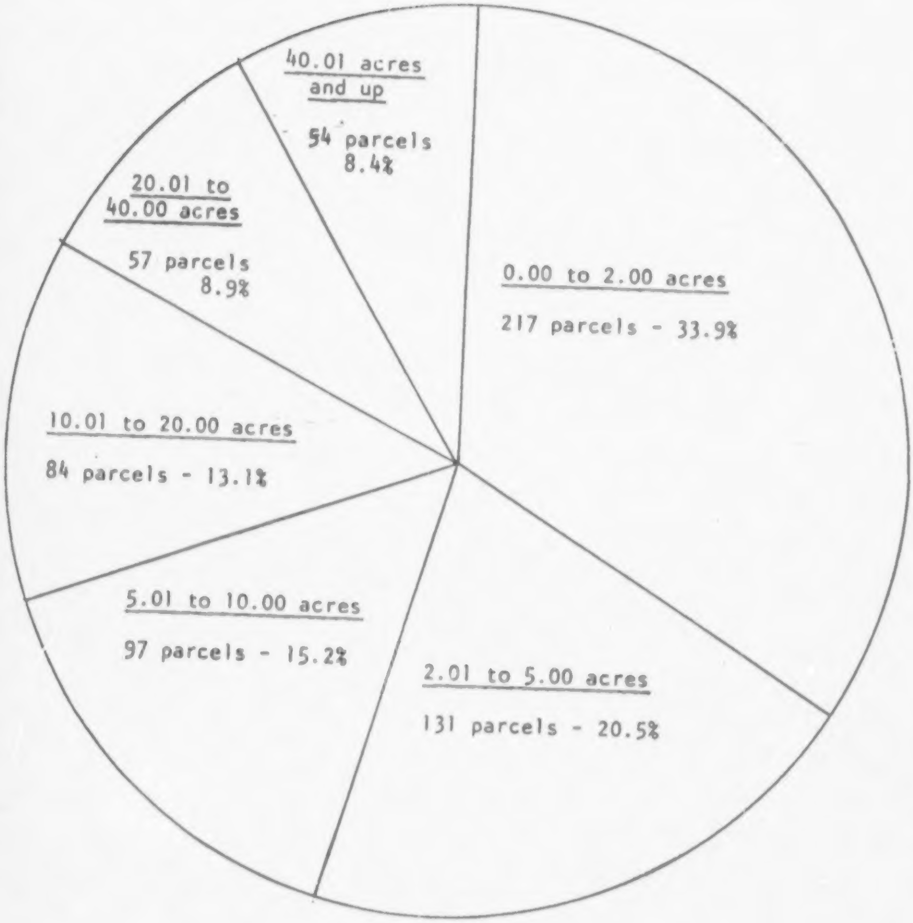
(100% = 10,504 acres)



-EXHIBIT 5-

NUMBER OF PARCELS BY SIZE CATEGORY

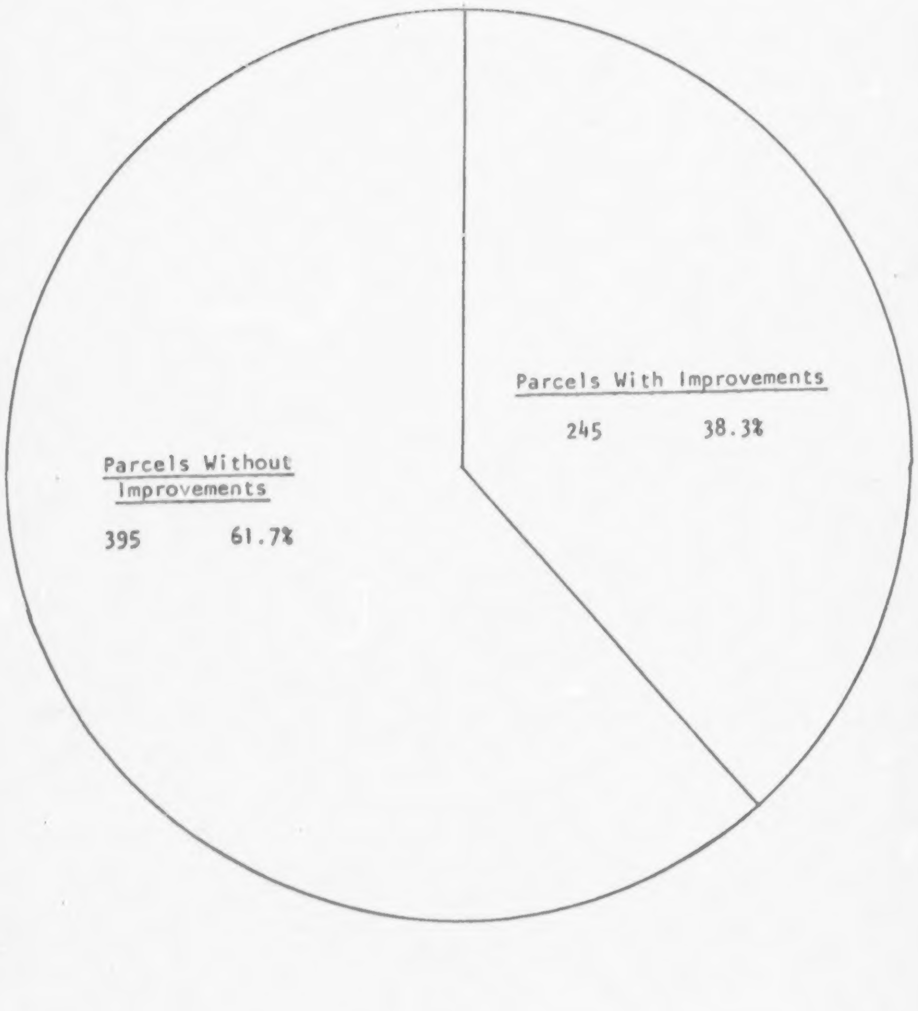
(100% = 640 parcels)



-EXHIBIT 6-

PARCELS DEVELOPED

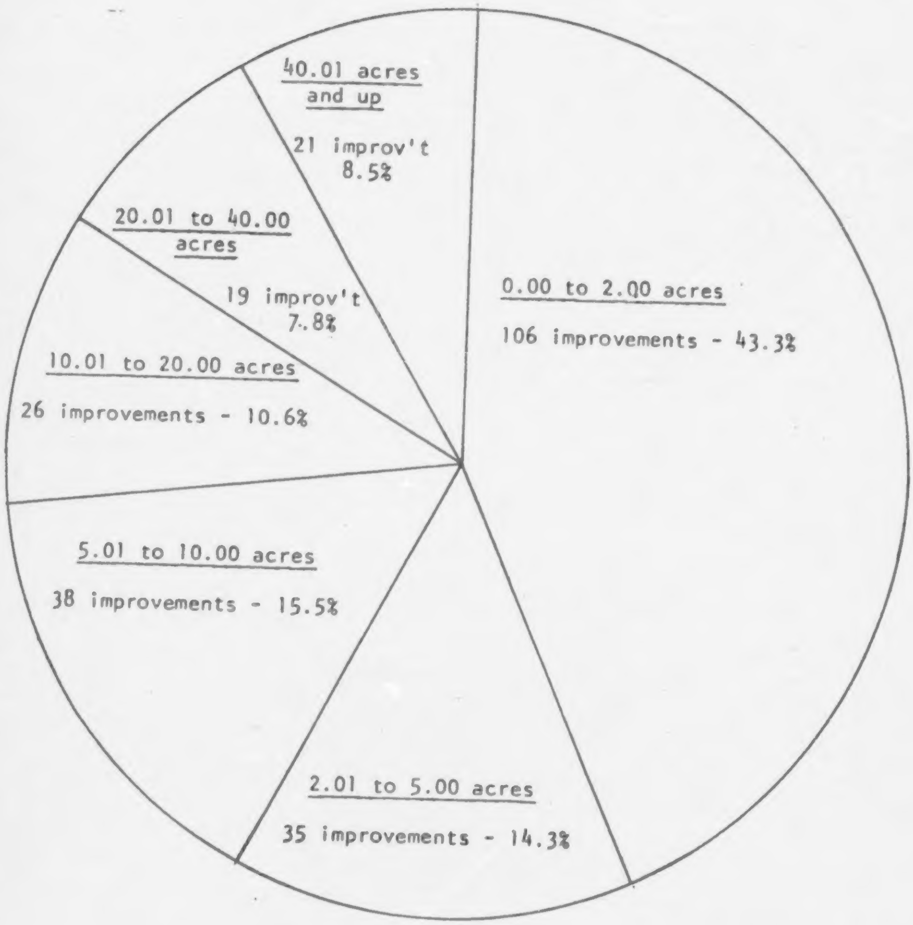
(100% = 640 parcels)



-EXHIBIT 7-

IMPROVEMENTS BY SIZE CATEGORY

(100% = 245 improvements)



THE OREGONIAN, MONDAY, FEBRUARY 15, 1982

Business Monday

Big electronics manufacturers plug into Clark County

By STEVE JENNING
of The Oregonian staff

Earl Wantland, president and chief executive officer of Tektronix Inc., said his company "for years had been looking for an East Multnomah County expansion site, and we hadn't been able to come up with anything."

And so executives with the Beaverton-based electronics manufacturer expanded northward, across the Columbia River, into Clark County, Wash. Tektronix made an initial investment of $20 million, eventually opening a new, 400,000 square-foot plant and employing 1,200 workers. Long-range plans call for employing 10,000 workers in Clark County by the year 2,000 in what Wantland calls a major manufacturing division.

"It's a friendly, growing community," Wantland said of the move to the suburban county. "We can't just keep stacking people in Beaverton."

During the last three years Tek and two other major electronics manufacturers have built plants in East Clark County. Barely a stone's throw from Tek's oscilloscope and component manufacturing factory, Hewlett Packard Co., a Palo Alto, Calif., producer whose 1981 sales were $3.9 billion, has built a computer printer assembly plant employing 450 workers. Plans call for expansion to 10,000 workers by the turn of the century. SEH American Inc., owned by a Japanese company, is producing silicon wafers and plans expansion to 2,000 workers within the next few years.

Clark County's electronics industry is still in an embryonic state, and the sector's comparative employment share is relatively thin. However, significant growth is expected. The county's public and private economic development agencies report that other manufacturers, as well as related industries, have shown interest in moving nearby.

Why? Publicly funded incentives are few.

Until this year, Washington, unlike Oregon, had no public economic development revenue bonding program to provide plant builders with low-interest construction loans. Local Washington jurisdictions by law are barred from giving property tax abatements to businesses who agree to move in. Tek, Hewlett-Packard and SEH America built their plants on privately held land and public tax dollars were not used to decrease the property purchase costs as has been done in some Oregon cases — notably the deal struck between the city of Portland and Wacker Siltronic in 1978.

While local governments in Oregon might offer more in terms of publicly financed inducements, Clark County's compelling qualities seem to involve an assessment of corporate, long-term gains, as well as an attractive living standard.

Ardis Boland, a Washington native who worked 10 years for Hewlett-Packard in the San Francisco Bay area before moving back to Clark County as a personnel manager, said, "This is the kind of place you'd like to raise a family in.

"We found the community to be very welcoming," she said. "People enjoy living here."

According to Mark Turpel, a project manager for Regional Planning of Clark County, an agency funded by a consortium of local governments, dollars-and-cents incentives to locate in the county include the availability of large tracts of undeveloped, industrial-zoned property; a well-educated labor force; a lower workers compensation rate than Oregon's; and the absence of a state income tax.

He said that the three major electronics manufacturers moved to East Clark County, along with increased residential development, in anticipation of the completion of the I-205 Freeway.

"Obviously, I-205 is going to have a heavy impact" on the county's economic development, said Turpel whose agency provides most of the data used by other governments to influence potential new industries.

"We expect that sub-contractors and spinoff industries will locate here because of the presence of the larger (electronics) firms," he said.

Until recently, Clark County had a competitive edge over Portland because of lower electricity rates. That advantage is expected to dissolve, however, with new regional public power legis
tion and as Washington state's pu
utility districts begin to absorb the s
down costs of two discontinued nuc
power projects.

Turpel said, however, that the Paci
ic Northwest in general will own a e
over other regions in power costs,
that Clark County will benefit.

Turpel said that the jobs devel
so far by the county's electronics m
facturers have tended to be "secon
kinds of employment."

In a two-income family, for ex
ple, the spouse working for the e
tronics company would tend to be
lower-paid family member. Moving
Vancouver therefore "makes sen
since the county does not have an ov
bundance of more highly trained wo
ers — electronic engineers, for exam
Turpel said.

Wantland, whose company had s
of more than $1 billion in 1981, said
was influenced by the high rece
ness of Clark County officials.
made clear, Wantland said, that the
jobs were wanted and needed by
Southwest Washington commu
Struggles over land-use policy
dampened industrial development in
egon, some have argued.

"We just can't afford to spen
energy battling forces that don't
us around," Wantland said bluntly.

Hewlett-Packard's Ms. Boland
comparatively low living costs co
with high environmental quality
her company to Clark County.

"We also look at (nearby) educat
al facilities, the receptivity of local
ernment and the quality of the l
force," she said.

Staff photo by BOB ELLIS

BRANCHING OUT — Tektronix Inc.'s new assembly plant in East Clark County represents electronics manufacturer's first foray north of Columbia River. Beaverton-based firm is taking advantage of what company executives call untapped labor market, as well as a friendly local government.

Land-use battle shaping on Home Valley frontage

By PAT MOSER
The Columbian

STEVENSON — A new battle is shaping up between recreation and development interests over 63 acres of Columbia River frontage at Home Valley six miles east of here.

At issue is a proposed park to be built by the Army Corps of Engineers as part of the Bonneville Dam project.

Originally the park, envisioned with a marina, swimming beach, toilets and parking for 380 cars, would be built by the Corps, but turned over to the state Parks and Recreation Commission for its operation and maintenance.

That idea stayed on the drawing boards for 15 years, with little action except for the Corps buying the land.

Nonetheless, the Home Valley project was controversial in Skamania County. Persons favoring the park feared that the prime waterfront land would be snatched up by development interests as an industrial site.

A Skamania County Planning Commission public hearing here in 1967 brought the two factions into the open.

At the time, Wally Stevenson of SDS Lumber Co., Bingen, proposed a pulp mill on the land. The SDS attorney, Grant Saulie, testified at the hearing that mill jobs have "become a dirty word" to some people. He said he preferred mill jobs at Home Valley more than the proposal for "lolling on the beach in a bathing suit."

There were other opinions at the hearing, such as Velma Houston of Skamania, who said at that hearing nearly 15 years ago, "You can get industry any place, but there is only one Columbia Gorge."

The project laid dormant since that stormy meeting, but the suspicions remained.

I.R. "Dick" Adlard, a retired Washington State University county extension agent, from time to time sought to keep the project in front of officialdom though public inquiries about it at agency meetings. When he was appointed to the Washington Columbia River Gorge Commission three years ago, his first act was to inform his colleagues about the Home Valley park project and his fears that somehow it would get shunted aside to allow industrial development.

As a watchdog, Adlard's eyebrows raised when he learned of a mid-November meeting between officials of the Corps, the state parks commission and the Skamania County board of commissioners. He became more suspicious when he heard that the unannounced meeting dealt with a scaling down of the Home Valley park proposal because the financially pinched state was stepping out. A $2 million access road and bridge was considered too expensive for the state.

"I don't particularly like it," Adlard said. "The meeting involving three public agencies was not announced. There are plenty of people in Skamania County concerned about the future of the park."

At the property's east end is a small, county park. At its west end is the log marshaling yard for Stevenson Co-Ply. The Stevenson Co-Ply property was a Louisiana Pacific sawmill site before the company pulled out in 1973. Before that R.M. Hegewald operated a sawmill there.

That sets a historical precedent for industrial operations on the Home Valley waterfront. The only other waterfront industrial land in the county is at the Port of Skamania County, south of downtown Stevenson. The Burlington Northern Inc. main railroad tracks run by both areas.

Despite its obvious transportation advantages, county commission chairman Ed Callahan, a Home Valley resident, insists the park plan isn't being altered to accomodate heavy industry.

Skamania County commissioners are studying the direction they want to take with the land. They envision overnight lodging and camp sites, but not a marina and possibly not a swimming beach, mainly because of windy weather.

"It will be a park site, to a degree," Callahan said, "with some commercial use, such as overnight cabins."

But, Callahan added, "We have never entertained the thought of aluminum or pulp mills, or any other heavy industry."

Callahan has been a leading proponent of inducing the Corps to dredge the Wind River estuary, a cove north of state Highway 14, where a marina could be built. The cove would shelter the marina from Gorge winds. The dredging also would improve the logging operations in the estuary. Logs are brought down the Wind River Highway from the Gifford Pinchot to the north into Carson and then to the estuary where they are lashed together to float to the various mills along the Columbia River.

Callahan has made the estuary dredging a major priority because of its importance to logging.

As for the park, "It is time for everyone to get off the pot," Callahan said.

Time may be running out for any kind of a park at Home Valley. A 1965 federal law sets a 10-year time limit on the federal government using land it has condemned. The Corps bought 147 acres for the park, with 84 acres under water because of the Bonneville Dam pool. Two parcels were bought in 1969 from Boise-Cascade Corp. and Wilma and Elma Robinson. The Corps bought 10.3 acres from the American Legion Post 137, Carson, in 1972, after a condemnation trial to clear the title.

The 131 acres was bought after a 1973 condemnation trial. The owner's attorney, Saulie, argued that about 27 acres were high and dry industrial land. The court agreed and upped the Corps $103,000 offer to $215,000 for the owner, Rees Stevenson of SDS Lumber Co.

If nothing is done in two years at Home Valley, federal law requires the Corps to determine if the property is excess. If so, other federal agencies would have a crack at it. If none picks it up, it would be offered to the state and then local governments. If it got to the local governments, the Port of Skamania County could become its owner as a future industrial site. If for some reason the port didn't take it, then the land would be offered to the original owner at its fair market price. In that case, the land to be sold back to Stevenson would be the 27 high-and-dry acres, not the remaining 104 acres that are under the Bonneville pool, all of which he sold for $215,000.

"The way things have been going, two years is a short time," Adlard said. "I can see it turning into an industrial site, and the people will lose their park."

County Commissioners Envision Home Valley Industrial Park

Skamania County Commissioners have visions of an industrial park located on Home Valley Park land.

Home Valley Park is situated along the Columbia River east of the Wind River Bridge.

When Bonneville Dam was built, the park land was awarded to Skamania County to compensate for lost shoreline.

The Army Corps of Engineers (ACE) was given responsibility for developing the land into a park.

A non federal sponsor is required to finance 50 per cent of park development costs. Washington State Parks (WSP) could be that sponsor, but negotiations have been slow.

Bill Bush, chief of research and long range planning for WSP, said the state has not funded the project up to now because the ACE plans for the park have been too elaborate and expensive.

Negotiations are still being pursued, he said, but the State Parks and Recreation Board will make the final decision.

If county commissioners were to take a different stance (that of wanting an industrial park)," said Bush, "I'm pretty sure that would have an impact on the State Parks and Recreation Board's decision about the park."

Bush said WSP had not heard about the county commissioners' plans for an industrial park.

In the meantime, county commissioners said they are concerned they will lose the park land to the federal government.

Commissioner Ed Callahan said, "If nothing is done in the next two years, the land could be declared surplus and any federal agency could take it up."

He said the commissioners plan to approach the state, asking it to allow ACE to scale down the recreational park.

The commissioners said they would like to use 20 of the 63.4 ACE park acres for an industrial park and sewage treatment plant.

McNeece park, close to Home Valley Park, is 10.21 acres.

"I think the people here (in Skamania County) recognize the need for an industrial base," said Callahan about the industrial park idea.

Bush said an industrial park at that location is not possible. The property was designated for recreational purposes only.

"We must pursue that recreational purpose use," he said.

But Bush also said state funding for the park does not look good now.

"It will be a considerable amount of time before the money is available." He named state and federal budget cuts as the reason.

Chuck Mason, spokesman for the ACE, said the park land has been set aside exclusively for recreation.

"To my knowledge, an industrial park has not been an option," he said. "If nothing is done about the park in the near future, options have to be reevaluated."

Monday, Louise Hansen of Stevenson told commissioners she does not want to see an industrial park on the park land.

She said she believes there is a real need for a park because Spirit Lake is gone "and there is no real recreation in the area except Rooster Rock State Park."

"I feel the state has not done its part," she said. "It has just been seesawing back and forth with the Army Corps."

Callahan said the park site in Home Valley is more suited for industry and is not a place for a park.

"The people in this county need payroll money. If they don't have the money to buy bread and butter, they shouldn't be going to the park," he said.

He said the ACE could agree to build a sewer treatment plant and contribute to its building. Twenty acres of land could be set aside for an industrial park and the remainder for a recreational park.

The county would promote "clean" industry, said Callahan. He suggested industry relating to electronics, plastics or a glove factory

"Personally I don't care if the Friends of the Columbia Gorge protest against the industrial park," said Callahan. "They can go to the park and have dust blown on their peanut butter sandwiches. The local people won't be going to use that park."

(Friends of the Columbia Gorge has recently started a campaign to protect the scenic qualities of the Columbia River Gorge. The group is promoting National Scenic Area designation for the gorge with the Federal Park Service as the lead governing agency.)

If an industrial park is not a feasible option for the Home Valley Park, Callahan said the county commissioners would like to see an industrial park built in Carson.

In order to attract industry to Carson, Callahan said Carson residents would have to form a sewer district. He said up to now residents have not been receptive to that idea.

"Public hearings will be held in the near future," Callahan said.

Senator HATFIELD. Mr. Williams?

STATEMENT OF CHUCK WILLIAMS, BOARD OF DIRECTORS, COLUMBIA GORGE COALITION

Mr. WILLIAMS. My name is Chuck Williams, and I'm on the board of directors of the Columbia Gorge Coalition, a nonprofit, Hood River-based organization dedicated to protecting the Columbia Gorge.

More than 400 households are paying members of the coalition, and our entire funding comes from small, private donations. All of the board of directors live in the gorge and will be directly affected by any actions taken after today's hearing.

During the past few years, starting in the mid-1970's, the port officials and some other local officials in the gorge started building a number of projects that were completely incompatible with the protection of the gorge, such as the Wah Chang-type zirconium plant also built at The Dalles port, the covering of the Steigerwald Lake wetlands with industrial plants, seven dams and five powerhouses on the White Salmon River, industrialization of Wells Island, a heron rookery off of Hood River, and numerous other projects.

Numerous local groups formed in the gorge, such as the Friends of the White Salmon River, and Mid-Columbia Concerned Citizens, to fight these projects, and they were just coming so fast and so furious that it was impossible for local residents to stop them. So, the members of these groups began meeting as an ad hoc coalition in 1977, and in 1979 we formally incorporated as the coalition and put out this brochure here, which is the first national scenic area proposed for the gorge.

We think that the Columbia Gorge qualifies as a national recreation area. If it was any place else in the country, it would have already been made a national recreation area similar to the Park Service-managed areas around the country established near other cities in recent years.

The national scenic area concept that we came up with was a big compromise that we felt was possible because of the strong local support within the gorge. Then, after our compromise, the Friends of the Gorge formed and further compromised our compromise. This whole thing's been compromised so many times already that there is nothing left to compromise.

I'd just like to thank the Governors for kind of breaking the stalemate. But, their plan, in our opinion, is totally unworkable for a number of years. For instance, they haven't even thought out who's going to buy and manage the land.

We would prefer the Park Service, but we see the Forest Service as a reasonable compromise. But, you do need that federal agency to buy the land.

Some of the commissioners today were talking about tax base. As you know, Senator, when the Federal Government buys lands for parks they compensate the county with payments in lieu of taxes to make up for that. There's a 5-year program of the exact taxes paid, and then there's a per-acreage payment after that. So, the only way to maintain that tax base is through Federal involvement, through the actual Federal acquisition of the land.

We'd really like to thank you for your support for this bill. We do think the bill, as I said, is a little too weak, but we do think it's a reasonable compromise if the Native American interests are involved in it, as the Columbia River Intertribal Fish Commission testified to earlier, if enough land acquisition funds are forthcoming, and if the gorge's embattled tributaries are also protected.

Without land acquisition, large landowners in the gorge will be treated unfairly. Basically, if we try to protect this through zoning, it first of all won't work at all; and, even if it did work, it would be unfair because the people who protected their land and had large holdings would then be penalized by not being able to develop their land and not having the option of either selling a scenic easement or the land to the Government. We think it's only fair that they have that option. Otherwise, it's totally unfair to the people that protect their land. It just rewards the developers, the people that are already dividing it.

Mr. Callahan mentioned today about how they want to protect the gorge. I'd like to point out that the local officials are the problem, not the solution in the gorge—for the most part.

For instance, Skamania County is trying to chop an area at the mouth of the Wind River into small lots right now, and Mr. Callahan as an individual is trying to dam up Panther Creek, the most important wild steelhead spawning tributary left in the region. That is what local control means.

Mr. Holly from Klickitat County mentioned that mining of the cliffs was prohibited in Klickitat County. Yet for miles east of Bingen the whole cliffs are being mined away. I don't know how that's going on if it's prohibited.

Cascade Locks complained today about control. They have within their growth boundaries the ability to quadruple the size of their town. Even though they have all of this room to grow within their growth boundaries, 3 years ago they tried to put in huge subdivisions in the Wyeth area. The Trust for Public Lands stepped in, fortunately, and bought the land in the nick of time, and it's now part of the Forest Service. As you know, it's being developed for a campground and environmental center.

Also, the Camas mayor said their town was the most directly affected town in this. Camas isn't affected at all. I'd like to point out that all of the incorporated towns within the gorge are totally excluded from the park. It's not the Cape Cod formula or anything like that. They're totally excluded from the park.

So, to wrap it up, I'd like to thank you very much, Senator, for your efforts to protect the Columbia Gorge. It's an issue dear to our hearts since we live there, and we appreciate this opportunity to present our views.

Thank you.

[The prepared statement of Mr. Williams follows:]

TESTIMONY OF CHUCK WILLIAMS, REPRESENTING THE COLUMBIA GORGE COALITION, AT THE SENATE HEARINGS CHAIRED BY SEN. MARK HATFIELD ON THE PROTECTION OF THE COLUMBIA RIVER GORGE, PORTLAND, OREGON, MARCH 25, 1983.

My name is Chuck Williams, and I am on the board of directors of The Columbia Gorge Coalition, the group that I am representing today. The Coalition is a nonprofit, Hood River-based organization dedicated to protecting the natural areas, wildlife, agricultural lands, rural atmosphere, historic sites, and cultural heritage of the Columbia Gorge and nearby areas. More than 400 households are members of the Coalition, and our group's entire funding comes from small, private donations.

During the past few years, some local officials have attempted to construct many large-scale, short-sighted development projects, which many Gorge residents felt would severely degrade the beauty and rural character of our home. A few of these are: the polluting Wah Chang-type zirconium plant almost built at Dallesport with a huge federal subsidy; the seven dams and five powerhouses that the Klickitat County P.U.D. is still trying to build on the White Salmon River despite strong local opposition; the attempt to industrialize Wells Island, an important heron roockery near Hood River; the extensive mining destroying part of the Old Scenic Highway; illegal subdivisions; the Port of The Dalles' attempt to use taxpayers' money to subsidize a K-Mart and a new rural shopping, which would have violated the county plan and devastated locally owned downtown businesses; and last but not least, the continuing effort by the Port of Camas-Washougal to cover the priceless Steigerwald Lake wetlands and Cottonwood Beach with industrial facilities.

Many local citizens groups sprouted to oppose these absurd projects and, fortunately, have been fairly successful fighting the most-obnoxious of these schemes, including the zirconium plant. Many of the leaders of these local groups began to meet with each other so as to compare notes and discuss the future of the Gorge. It became obvious to us that development was increasing so fast that a unified effort to protect the Gorge as a whole, instead of just a few scattered pieces, was overdue and necessary. This ad hoc group formally became the Columbia Gorge Coalition in 1979, and a Coalition brochure was printed then that included the first national-scenic-area proposal for the Gorge. Therefore, it gives us great pleasure to testify here today.

We still think that the Columbia Gorge should become a national recreation area managed by the National Park Service, similar to other federal parklands established near metropolitan areas in recent years. Our national-scenic-area proposal was a big compromise back from the stronger protection the Gorge obviously deserves. Then the Friends of the Columbia Gorge formed and further compromised our compromise. Now the governors are trying to further compromise pending protection, even though there is nothing left to compromise if the Gorge is actually to be protected. We feel strongly that the governors' plan is completely unworkable and, as was the case with the establishment of the Columbia Gorge Commissions in the 1950s, will only delay real protection of the Gorge and result in the further degradation of this national treasure.

We think that your and Senator Packwood's pending legislation (S. 627) is too weak, but we do think that it is a reasonable compromise worth at least trying _if_ enough land-acquisition funds are forthcoming, _if_ Native American interests are represented on the regional commission, and _if_ the Gorge's embattled tributaries are protected in the legislation. We have attached a fact sheet explaining why federal land-acquisition and a federal role beyond that suggested by the governors is necessary to ensure long-term protection and treat landowners fairly.

We think that it is absolutely crucial from an economic as well as preservation standpoint that the Gorge's imminently endangered tributaries be protected at the same time as the main Gorge corridor. If not, these spectacular canyons will be subject to additional development pressures, and bitter battles over them will rage for years to come. As Congressman Sid Morrison has noted, these tributaries are essential for restoring fish runs, because they are low on the Columbia, and thus the fish spawning in the Gorge have fewer dams to contend with.

We feel very strongly, therefore, that pending Gorge legislation should be amended to designate the Wind, Little White Salmon, White Salmon, Klickitat, lower Deschutes, and lower Sandy Rivers as national wild-and-scenic rivers. All of these threatened rivers would obviously qualify for federal protection, and it is federal legislation which is promoting the damming of these waterways for personal financial gain. The power is obviously not needed now or in the forseeable future, and the Gorge area has already suffered more than its fair share of hydroelectric development.

Even mandated wild-and-scenic-river studies in the Gorge legislation will give residents and fish a four-year reprieve from these dam schemes. Local opposition to dams on the tributaries is very strong. Even so, "local control" seems no more able to stop these dams than to prevent incompatible developments in the Gorge. In fact, as with Gorge development, "local control" is the problem, not the solution. For example, Skamania County Commissioner Ed Callahan, a fervent opponent of either federal or state involvement in Gorge protection, is presently trying to dam up Panther Creek, the most-important wild-steelhead spawning tributary of the Wind River, a legendary stream among fishermen. The Skamania County P.U.D., headed by Bill Yee, who I understand will represent the so-called Gorge Defense League today, is attempting to built a hydroelectric project on the Little White Salmon River, where federal hatcheries are located. Mr. Yee claims that there is not any opposition to this project--even though more than 300 local residents have protested in writing. The Clark-Skamania Flyfishers are fighting the Panther Creek scheme, and a broad coalition of local residents, farmers, sportsmen, the Washington Dept. of Game, and the Yakima Indian Nation have for six years now successfully fought the dams planned for the White Salmon. Similar battles will continue on virtually every Gorge tributary until they are either given federal protection or completely dammed. Gorge legislation without protection for the tributaries would be only half a solution and would promote endless litigation and further polarization among Gorge residents.

We also feel strongly that the scenic-area boundaries must extend from Cottonwood Beach and the Sandy River on the western end to Maryhill and Stonehenge at the eastern end. The inclusion of the eastern portion of the Gorge is crucial to protect the most-important prehistoric sites in the Gorge, to include the unique rain forest-to-desert biological transition, and to prevent heavy industrialization, as is occurring at John Day Dam just to the east. In addition, Maryhill and Stonehenge will provide an ideal eastern gateway to the national scenic area.

Thank you very much for this opportunity to present our views on this subject so close to our hearts. The Columbia Gorge Coalition greatly appreciates your efforts to finally give our home the protection it so obviously deserves. We urge you to act quickly, before even more of the Gorge is degraded. Thank you.

Columbia Gorge Coalition

SOME FACTS ON FEDERAL INVOLVEMENT IN COLUMBIA RIVER GORGE PROTECTION

1. The Columbia River Gorge cannot be protected without federal involvement. There is not a single spectacular, bi-state landscape in the country that has been protected without considerably more federal involvement than is proposed for the Gorge. Skamania County officials do not really want zoning, and even if they do institute zoning, it will not protect the Gorge. Much stronger zoning-regulations have not been able to protect even the Oregon side of the Gorge, where most county officials actually do want to protect the Gorge and where there is state oversight (LCDC), because the option of acquisition is not available. Zoning protection is temporary at best, and it seems reasonable to assume that the Skamania commissioners, with their philosophic opposition to land-use planning, will give out variances upon request, making a mockery out of zoning. Even with strong zoning, the area of Skamania County from Cape Horn to North Bonneville is already chopped into so many small parcels, according to a new Columbia Gorge Commission study, that if all the parcels are developed (even without further subdivision, a pipedream), almost the entire area will be converted into residential developments.

2. To try to protect the Gorge without some acquisition of lands and easements will be grossly unfair to Gorge landowners who have protected their lands instead of subdividing and overdeveloping them--and would instead reward developers. It is not fair to expect Gorge residents to assume the financial burden of protecting a national treasure, especially if landowners are not even given the option of selling to the government for a park. Federal funds for land acquisition for parks comes primarily from offshore oil-drilling revenues, which are plentiful during this Administration. Unless the states are willing to appropriate several million dollars annually for many years just for the purchase of lands and scenic easements, state legislators (on both sides of the river) should be begging the federal government to help out in the Gorge. (Oregon presently has plans to purchase 63 acres; Washington none.)

3. In addition to treating Gorge landowners fairly, acquisition is necessary for long-term protection, wildlife habitat (which will benefit hunters and fishermen), and more recreational opportunities. The vast majority of existing trails, campgrounds, picnic areas, etc. are on the Oregon side, so Washington residents usually have to cross the river to Oregon for Gorge outings. Similar facilities are eventually needed on the Washington side, both for Washingtonians to use and for attracting tourists across the river. (Many Skamania officials fighting protection are presently trying to obtain federal grants for huge resorts at North Bonneville, and trails around the Table Mountain area would be a good attraction.) Protecting and providing access to the Washington side of the Gorge will become increasingly important to Vancouver area residents in the future; few cities are so blessed as to have an outdoor resource like the Gorge within a few minutes drive or public-transit ride. To allow the Gorge to be lost will prove to be extremely short-sighted.

• P.O. Box 266 • Hood River, OR 97031 •

4. Federal land-acquisition has many other advantages: The federal government has a much-larger "land bank" to use to arrange trades for critical Gorge parcels. People who want to sell and move receive generous ($15,000) relocation benefits. Those who want to sell but stay in their homes can receive their money and stay indefinitely (life estates). (Remember that those who do not want to sell do not have to!) And the federal government gives the counties "payments-in-lieu-of-taxes" when it purchases lands for parks. (Since Skamania County often gets more than $1,000 per resident annually from the U.S. Forest Service, population growth--as is now occurring--will hurt its tax-base much more than will acquisition.)

5. Since the Gorge is politically divided between two states, a single agency, such as the "multi-use" Forest Service, is needed to be the impartial arbitrator and to provide expertise for the drafting of a comprehensive plan for the Gorge.

6. Federal legislation is essential so that there will be a "consistency clause" blocking anymore federal funds being used to further degrade the Gorge. (This clause is especially important because the local officials so against federal involvement in Gorge protection have shown no qualms about asking for millions of dollars of federal (E.D.A.) subsidies for inappropriate industrialization of the Gorge.)

7. Although some people are sincerely frightened, condemnation is a phony issue, part of the despicable scare tactics being used to avoid debate on the real issue: the fairest way to prevent the rapid suburbanization and industrialization of the Gorge. We agree that land acquisition should be minimized in the Gorge compared to traditional parks, and the national-scenic-area legislation specifically protects homes and farms from condemnation--except in emergencies to block new adverse developments which violate the comprehensive plan. Legislating "protection" without having condemnation (as a last resort in this case) will be, as with any laws without penalties, an exercise in futility. We would not oppose additional safeguards, such as requiring condemnation to be approved by the regional commission, although we feel that they are unneeded. The "horror stories" about federal "abuses" at other parks (always far away!) being spread in the Gorge are for the most part malicious, ludicrous fabrications, and we will be glad to furnish documented information refuting all such charges. Also, most complaining Gorge residents live in the major towns, which are totally excluded from the national scenic area, and thus they will not be directly affected by federal legislation anymore than Portland and Vancouver residents will be.

8. In spite of the shrill "lock-up" and "federal control" rhetoric, the national scenic area proposed for the Gorge is a huge compromise back from the national recreation area (managed by the National Park Service) designation for which the Gorge obviously qualifies. The national scenic area is an innovative partnership between the federal, state and local governments, and the amount of "federal control" necessary will depend upon the actions of the other governments.

9. At parklands protected by federal-state-local partnerships, the federal legislation always comes first, followed by state and local legislation. For example, shortly after Congress authorized the million-acre Pinelands National Reserve, New Jersey legislated a two-year moratorium on major construction to allow time for the comprehensive plan to be completed. At Lower St. Croix National Scenic River (along the Minn.-Wisc. border), towns are protected by local zoning, half the park is protected by state zoning, and the remaining half by National Park Service acquisition of lands and scenic easements.

10. National-scenic-area opponents claim that federal legislation will cause economic harm to the Gorge (although the feds' motives for wanting to do so are never explained). We think that the opposite is true, that the increased tourism resulting from protection efforts will help to diversify the Gorge's traditionally boom-and-bust economy. Senator Bob Packwood, at his hearing in the Gorge, repeatedly asked scenic-area opponents, including a Skamania commissioner and a Klickitat County port official, to elaborate on their claims that the pending Gorge bills will cause serious economic harm to the area. After many generalities and no specific job-losses, one of them finally complained that the park might prevent the enlargement of the Bonneville Dam locks. Packwood scoffed at that far-fetched charge, since he is cosponsor of legislation to enlarge the locks. No one is against clean industries locating within the growth boundaries of existing towns, where services are already available. For example, we did not oppose the large, less-than-aesthetic Port/Columbia-Pacific building in Stevenson.

11. National designation, such as a national scenic area, is needed to boost tourism in the Gorge, as it indicates to potential visitors that the Gorge is, indeed, one of the nation's "crown jewels." Having a lead agency to coordinate tourist information will also be very helpful.

12. Federal legislation is hardly being rushed, as it has been considered for the Gorge since the 1930s. Zoning has been promised for Skamania County at least since 1968, and local officials have known since 1977 that a major campaign for Gorge protection was forthcoming if they did not take steps to save the area. Most of the local officials lobbying against any federal role are actually opposed to any real protection of the Gorge, and instead want such outrageous projects as a major town across from Multnomah Falls and an industrial park on public parklands at the mouth of the Wind River. Their claims that local protection is forthcoming are, in our opinion, just stalling tactics. For example, early in 1981, Skamania Commissioner Bill Benson, testifying before the Washington State Legislature, opposed even any state involvement in Gorge protection and promised that his county would have protection in place within less than a year. Two years later, no additional protection has been instituted in Skamania County, not even weak zoning. (After a lengthy discussion, Packwood told Benson that if Congress had followed his criteria for new parks, we would not have a single national park in the country today.)

13. The initial national-scenic-area proposal was conceived by local residents (us) and has been widely debated at numerous public meetings and hearings for more than three years. The result is the weakened Packwood bill, a compromise of a compromise. The pending bills to establish a Columbia Gorge National Scenic Area allow considerable flexibility. The real issue that we feel should be debated now is how to balance the planning and regulatory powers between the U.S. Forest Service and the new regional commission (which is dominated by county representatives in all bills). The debate over Gorge protection has raged on-and-off for decades now; meanwhile, the Gorge is becoming more and more developed. A line must finally be drawn--and soon!

June 19, 1981

Senator Mark Hatfield
U.S. Senate
Washington, D.C. 20510

Dear Senator Hatfield:

The Columbia River Gorge, one of the nation's most famous landscapes, is in serious trouble and needs your help. Since the 1930s, efforts by the states to coordinate Gorge protection have failed and strong federal involvement is desperately needed. Gov. Victor Atiyeh and others who once thought that the problem could be handled solely on a state and local level now realize that a federal role is essential.

We recognize that a traditional park is not practical in the Gorge, even though, in a more natural state, it would undeniably deserve national park status. The historic significance of the Gorge (oldest continuously-occupied prehistoric village site in the Northwest, most important fishery and trade mart, Lewis and Clark's pathway, end of the Oregon Trail, ornate Fort Dalles, locks, canals, fishwheels, the old scenic highway, etc.) in itself would justify federal protection. We believe that the Columbia Gorge should probably be designated a national recreation area, for which it obviously qualifies, but recognizing the present situation, we have developed a proposal with local residents for a national scenic area, an innovative federal-state-local partnership which retains many of the benefits of federal parklands while minimizing fee-title land purchases and direct federal management.

We feel that federal legislation for the Columbia Gorge has to include the following components:

1.) The Gorge as a whole (from the Sandy River and Cottonwood Beach east to Maryhill/Stonehenge) should be managed by a commission composed of federal, state, local and Native American interests. The commission would develop a comprehensive plan with the aid of the National Park Service. It is absolutely essential that Gorge legislation include minimum performance guidelines to ensure that the Commission and plan do indeed protect the Gorge.

2.) There should be a core area managed by the National Park Service in the west end of the Gorge to provide residents of the Portland/Vancouver metropolitan area some parklands managed similar to the national recreation areas established near other urban areas in recent years. There is now almost no public land and access on the Washington side of the Gorge, so most land acquisition should occur between Cape Horn and Bonneville Dam.

3.) Funds also need to be provided to purchase scenic easements, especially to protect agricultural lands.

Senator Mark Hatfield
June 19, 1981
Page Two

4.) Existing towns should be excluded from the scenic area to allow for future growth and clean industries. On the Oregon side, urban growth boundaries have already been established by the state; similar growth boundaries are needed for the Washington towns.

5.) Numerous tributaries of the Columbia Gorge also need protection as they are priceless fisheries and spawning grounds and are certain to receive additional development pressures if not protected at the same time as the main Gorge corridor. Instant wild and scenic river designation or, at the very least, mandated studies are needed for the Wind, Little White Salmon, Klickitat, lower Deschutes and probably the lower Sandy River. Half of these rivers are on the Interior Department inventory of potential wild and scenic rivers. Many of these tributaries are now threatened by dams -- even though a large majority of local residents oppose these dams. The Gorge has already paid far more than its fair share of energy dues.

6.) Gorge legislation should include a disclaimer clause (which has been requested from the Columbia River Inter-tribal Fish Commission) to ensure that the bill does not affect existing Indian treaty rights.

The degradation of the Columbia River Gorge is increasing daily. The protection of this nationally-significant landscape cannot be put off just because of an arbitrary moratorium on new parklands. The developers are not waiting. Our national scenic area proposal is a carefully crafted compromise, one which minimizes land acquisition and allows compatible economic uses to continue. Your help is urgently needed to protect this spectacular area and to set an important precedent for the second century of the national park concept, one of the United States' most important contributions to world culture.

Yours truly,

Chuck Williams
Columbia Gorge Coalition

William Lienesch
National Parks & Conservation Assn.

Brock Evans
National Audubon Society

Ronald J. Tipton
The Wilderness Society

Tim Mahoney
The Sierra Club

Kathleen Beamer
Washington Environmental Council

Rafe Pomerance
Friends of the Earth

John Charles
Oregon Environmental Council

David Conrad
American Rivers Conservation Council

Columbia Gorge Coalition
P.O. Box 266 • Hood River, OR 97031

April 22, 1983

TO: Oregon and Washington Delegations

FROM: Coalition Board of Directors

RE: Columbia Gorge Legislation

We are very distressed by the enthusiasm shown by some delegation members toward the so-called compromise recently put forward by the two governors. There seems to be too little concern about whether or not their plan will actually work. After six years of searching for a fair solution to the needed protection of the Gorge, IT IS OUR STRONG OPINION THAT THE GOVERNORS' PLAN SIMPLY CANNOT PROTECT THE COLUMBIA GORGE. In fact, it may be worse than no legislation at all, since, as was the case with the establishment of the advisory Columbia Gorge Commissions in the 1950s, such weak "protection" would again just delay real protection of the Gorge--and thus would not settle the controversy over the Gorge's future.

We too wish that this issue was not so bitter and emotional--especially since we live in the Gorge! In fact, even though it seriously limited our support, we began the current campaign as a locally based effort in order to try to avoid an "us vs. them" confrontation that is typical of park battles. The situation has, unfortunately, become quite polarized anyway, in part because of certain people brought into the Gorge to stir up trouble, but there still remains within the proposed national-scenic-area far more local support than is normal with park battles. The situation will only get worse, however, until the hard decisions are made and implemented, finally protecting the Gorge, or until there is nothing left to save. The latter scenario, of course, is totally unacceptable to us.

The Columbia Gorge should have been made a national park, as it is one of the "crown jewels" of our nation. It should still be made a unit of the National Park System. It would easily qualify as one of our country's finest national (urban) recreation areas, as was documented in the comprehensive urban studies done for Senator Jackson in the mid-1970s. The Gorge would obviously qualify for the type of national recreation area established around other large federal reservoirs, such as Lake Mead. Being probably the most-important historic site in the Northwest, it would qualify as a national historic park. It would also qualify as a national river, a national preserve, or a national reserve.

The Columbia Gorge Coalition and most conservation organizations feel, therefore, that even the bills now pending in Congress (S.627, H.R.1747) are much too weak. When the thorough National Park Service (NPS) study of the Gorge was released three years ago, we proposed that the Gorge be protected by a combination of two of the NPS alternatives: the whole Gorge would be managed by a federal-state-local commission (Alt. C) like at the Pine Barrens, with a core area in the western half (Alt. D) managed by the National Park Service similar to the national recreation areas established near numerous metropolitan areas in recent years (but not in the Northwest!). We also urged that the Gorge's tributary canyons be protected at the same time, since these threatened streams are essential to the current efforts to restore the Columbia River's salmon runs. As was done at Lake Tahoe, Big Sur and Jackson Hole, we proposed the term "national scenic area" to describe these compromised proposals for areas that should have been national parks.

The Coalition was not exactly happy when the Friends of the Columbia Gorge formed and further compromised our original national-scenic-area proposal to well below our "bottom line." The Friends gathered such diverse support for their proposal, however, that, in the spirit of compromise, we somewhat reluctantly agreed to support their bill if it were not further compromised, if enough land-acquisition funds were forthcoming, if there was Indian representation on the commission, and if national-wild-and-scenic-river studies were mandated for the Gorge's embattled tributaries, giving them and the fish a much-needed four-year reprieve from dams. We felt that such a compromise was at least worth trying. Unfortunately, however, judging by the attempts of the governors and others to further emasculate the already too-compromised pending bills, our sincere efforts to seek reasonable compromises seem to have backfired on us. Although we now regret it, we were also instrumental in convincing many of the national environmental groups to go along with the compromises (against their better judgement).

Detailed explanations of why we are so opposed to the governors' plan are included in the attached testimony we presented at the Senate hearings. A few of the most-serious defeciencies are as follows: There is no lead federal agency, without which we [illegible] Gorge protection is impossible. Various partnerships exist elsewhere, such as at the Lower St. Croix National Scenic River, but there never has been a large, bistate landscape protected without a lead federal agency (including the failure at Lake Tahoe). The commission is too large, has no Indian representation, and is unworkable, as illustrated by the absurd situation whereby the Corps of Engineers and BPA have more to say about the management of a parkland than does the Forest Service. (The NPS has none.) And, as appears to be happening at Pinelands, the commission could easily be taken over by development interests. Maybe worst of all, land acquisition is allowed only to block incompatible developments, a senseless restriction that will be grossly unfair to those local landowners who want to protect their lands and will actually encourage subdivisions and reward developers (at taxpayers' expense).

For these reasons and many others, we will probably oppose the passage of any legislation this session if it is weaker than the pending bills. We have in the past discouraged the introduction of any more bills, weaker or stronger, preferring instead that amendments be made to the legislation already introduced. However, if weak legislation based on the governors' plan is introduced, as Congressman Wyden plans to do, we would then want an environmentalists' Gorge bill (based on our original proposal) to also be introduced. But since action on Gorge legislation is starting in the Senate, we see no reason for any additional Gorge bills to be introduced on the House side at this time.

Meanwhile, legislation appears to be moving ahead to enlarge the locks at Bonneville Dam. While we don't oppose the locks enlargement per se (depending on where the spoils are dumped), we do feel that its need is far less urgent than Gorge protection, and that at least equal resources ought to be put into Gorge protection as into the slight enlargement of existing locks. Future delays in river traffic hardly rate, in our opinion, with losing one of the world's premier landscapes.

Legislation to finally protect the Columbia River Gorge is desperately needed. The hour is late in the Gorge, and there is no longer any time left to play with cosmetic solutions. Virtually all of the arguments used against the proposed national-scenic-area have been discredited again and again, such as at Senator Packwood's hearing. The delegations have bent over backwards--too far, we think--to appease the opponents of Gorge protection. It is now time to "bite the bullet" and finally enact a Columbia Gorge National Scenic Area.

We do not want to be part of the generation that lost the Columbia Gorge, and we will continue to fight for strong protection, no matter how long it takes. We wish to thank all of you for your interest in the protection of our home.

P.S. The "Conservationists' Alternative" to the Administration's proposed Land and Water Conservation Fund appropriations for FY 1984 includes $2 million for Columbia Gorge inholdings within the Mt. Hood and Gifford Pinchot national forests. Your support for these important acquisitions will also be greatly appreciated.

Columbia Gorge Coalition

April 22, 1983

Senator Henry Jackson
U.S. Senate
Washington, D.C. 20510

RE: Columbia River Gorge Protection

Dear Senator Jackson:

We have heard that last fall you told the Skamania County commissioners that they had better get another horse for you to ride on the Gorge issue--and soon. It seems to us that they still have not given you another horse to ride, not even a lame one. Defiantly, they still refuse to even implement zoning (not that zoning can actually protect the Gorge), even though more than two years ago the commissioners told the state legislators that Skamania's portion of the Gorge would be protected within less than a year. How much more time are you going to give them, since it seems apparent that, despite their rhetoric, most of these officials in fact do not want to protect the Gorge? Even if they did (and some do, of course), the job is beyond their means. The Columbia Gorge is not "just another piece of real estate," as some think it should be treated, but rather is one of the most beautiful and famous landscapes in the country--and thus deserves special protection. Long-term Gorge protection is an issue that Congress should have resolved decades ago, when the situation was less complex, but didn't. Further stalling will only aggravate the political controversy, result in even more degradation of our home, and delay the healing of both the Gorge's scenery and our relationships with our neighbors on the other side of this issue.

Senator, we urge you to visit Crown Point, for instance, and see for yourself what will be lost if Gorge protection is too late or too weak. The spectacular vista from Crown Point of the Columbia River breaking out of the Cascade Range between twin portals is in the process of being radically changed, especially across the river on the Washington side. The wetlands just downriver are slated for heavy industrialization by the Port of Camas-Washougal, even though many other alternative sites are available. The pastoral scenery atop Cape Horn and the lush rainforest between Cape Horn and Beacon Rock are starting to again be rapidly suburbanized (after a lull because of the economy and the eruption of Mount St. Helens). Barring protection, the new electronics plants planned east of Vancouver will accelerate the destruction of this classic vista.

Washington State, however, does not have a monopoly on land-use problems in the Gorge. Even though Oregon has state land-use controls (LCDC) not unlike those proposed by the governors for the Gorge, the Oregon part of the view seen from Crown Point is also threatened. Subdivision plats approved decades ago are being resurrected, and steep parcels around Shepperds Dell State Park are presently being clear-cut and covered with high-grade roads (that are very visible from the Washington side). As on the Washington side, protection efforts are crippled because landowners do not have the option of selling their lands to the government for parklands. (And even national-scenic-area opponents often admit that land acquisition is the fairest treatment for landowners facing strict land-use controls, such as the Gorge obviously merits.)

• P.O. Box 266 • Hood River, OR 97031 •

Your knowledge of parks is so extensive, we feel, that it should be apparent that the Columbia Gorge, compared to other parks in the country, deserves even stronger protection than is being contemplated and that anything weaker than the pending bill will simply not do the job. With your support, an adequate bill can be passed by the Senate, and then by the House. In this era of James Watt and the increasing partisanship on environmental issues, we find it ironic--and potentially embarrassing during next year's elections--that the campaign to protect the Gorge is being primarily led by Republicans and stymied by Democrats, especially normally pro-environment ones like Rep. Ron Wyden. Because of your parks background, your committee seat and seniority, and the many years until you have to think about re-election, you are ideally suited to take a leading role in the Gorge protection effort.

The fate of the Columbia River Gorge is now, in large part, in your hands. While this is not an enviable position to be in, history has proven again and again that, no matter how controversial the battles were, the often-difficult decisions by Congress to establish new parks, such as North Cascades, were the right decisions in the long run (and, in fact, prevented even nastier fights later on). The same will no doubt be true of a Columbia Gorge National Scenic Area. Your help is desperately needed now and will be greatly appreciated--by us and even more so by those who follow us.

Thank you very much for taking the time from your hectic schedule to read this letter. We will, as always, be glad to furnish further information on the Gorge.

Yours truly,

Chuck Williams

Chuck Williams

gorge winds

Columbia Gorge Coalition
Early-Spring 1983

THE GUVS GUT GORGE PROTECTION

After decades of efforts and many false starts, the spectacular, embattled Columbia River Gorge apparently is going to receive some kind of protection this Congress. Thanks primarily to Gov. John Spellman and the Washington State Congressional delegation, however, Gorge protection will be too little, too late if strong public outcry is not forth coming—and soon!

Oregon Senators Bob Packwood and Mark Hatfield and Congressmen Jim Weaver and Les AuCoin have again introduced federal legislation (S.627) to establish a Columbia Gorge National Scenic Area managed by the U.S. Forest Service and a regional commission. Conservationists generally feel that this bill is too weak, but is a reasonable compromise worth at least trying *if* protection for the Gorge's threatened tributaries is added and *if* enough land-acquisition funds are provided. Because of the shrill protests and scare tactics coming from some development-minded local officials, especially in Skamania County (which still doesn't even have zoning), most Washington State politicians have refused to take a stand on the Gorge.

At a packed March 15th press conference in Vancouver (U.S.A.), Oregon Governor Victor Atiyeh, previously a national-scenic-area backer, and Governor Spellman announced a "compromise" plan for Gorge protection. At the insistence of Spellman, the only major public official who has refused to meet with conservationists about the Gorge issue, the governors' plan is a watered-down, half-backed proposal similar to the bistate compact that has been a miserable failure at Lake Tahoe. The governors' proposal would set up an unworkable, 23-member commission to draw up a comprehensive plan for the Gorge. The plan could be vetoed by only five members, and there is no realistic provision for land acquisition, which is essential to provide real protection and to treat landowners fairly.

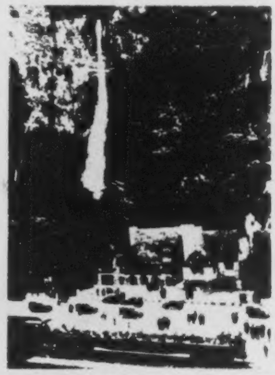
Except for a seat on the commission, the Forest Service is excluded from the proposal —but the governors of course still expect the federal government to pick-up most of the tab. Also, there is no interim protection for the Gorge while the complex comprehensive plan is being drawn up, no provision for Native American involvement in Gorge decisions, and no protection for the Gorge tributaries, important fisheries which are endangered. As was the case with the establishment of the advisory Columbia Gorge Commissions in the 1950s, enactment of the governors' plan may be worse than no legislation, because real protection will again be delayed for years.

Gov. Spellman's decision to finally take a stand on the Columbia Gorge at least breaks the frustrating stalemate. The fate of the Gorge now rests primarily with the Washington delegation, especially Senator Henry "Scoop" Jackson, who at least is knowledgeable enough about parks to realize that the governors' plan won't actually protect the Gorge. Oregon Congressman Ron Wyden, who has been waffling on the Gorge issue for inexplicable reasons, is also crucial to the outcome.

Meanwhile, the overdevelopment of the Gorge continues. Huge clear-cuts and new roads on steep slopes around Shepperd's Dell State Park in Multnomah County have created a large blight in the vista seen from Cape Horn. The Skamania County commissioners are trying to chop the area at the mouth of the Wind River, where Commissioner Ed Callahan owns a large tract, into tiny parcels before protection comes. Callahan is also trying to dam up Panther Creek, the most-important wild steelhead spawning tributary on the Wind River. The scheme was—as usual—covered up by the local paper, the *Skamania Pioneer*, but the Clark-Skamania Flyfishers found out about it in the nick of time and filed an intervention to get legal standing in the licensing. The local PUDs are still trying to dam the Little White Salmon and White Salmon Rivers—despite strong local opposition. And the finest sand dunes in the Gorge, those along I-84 east of The Dalles, were recently covered with rocks by the Oregon Highway Department in a costly attempt to keep the sand from drifting onto the freeway and railroad tracks.

The campaign for a Columbia Gorge National Scenic Area, begun by the Coalition four years ago, has reached a critical crossroad. Our momentum was undeniably hurt when Gov. Atiyeh reneged on his previous commitment, and so national-scenic-area proponents must intensify their efforts to keep the pending legislation from being further weakened. Your help is crucial!

Trains once brought visitors to Multnomah Falls



Guest Editorial (From The Oregonian):

WHY "LOCAL CONTROL" CAN'T DO THE JOB

By JOHN YEON

In my opinion

SHOULD THE Columbia Gorge, particularly its western section in Washington, be suburbanized? That is the essence of the current controversy over local control vs. federal involvement. That is the reason for Friday's congressional hearing.

Now, under the status quo of exclusive local control, the inevitable destiny of the gorge is for large and conspicuous portions of it to be suburbanized. In the process, radical degradation of the natural scenic beauty of this famous landscape will occur.

Local protection of this landscape is simply not possible. Even if all the inhabitants of the gorge were dedicated to this objective, and that is obviously not the case, it couldn't be achieved. The scale of the gorge is too big. Local resources are too small. Local needs would not justify exertions and sacrifices necessary to protect a scenic resource of national significance.

No landscape of this magnitude and superlative quality has ever been safeguarded by local control. It is unfair to expect local control to do it. It is unfair to blame local control for an inevitable failure so far beyond its means to forestall.

The greatest amount of protection already accomplished is not the result of local control; it results from federal participation. For 24 miles on the south side of the gorge, the skyline heights and cliffs are federally owned. Unfortunately, on the north side, protective federal custody covers only a mile, in the vicinity of Dog Mountain between Stevenson and White Salmon.

The federal government, somewhat inadvertently, is responsible for preventing private exploitation of much of the south shore of the gorge. It was federal regulation and funding that was largely responsible for the wide right-of-way and controlled access policies for Interstate 84. In effect, this produced a linear park, or parkway, along the riverbank. The only protected shoreline in the western gorge in Washington is a cramped area at the base of Beacon Rock, the only public access to the river.

The defenders of the gorge who are so energetic, articulate and well-financed — and so militant against federal involvement — are not organized as defenders of the scenic gorge against transforming development, but are defenders of the developers. They defend a status quo of local control that will allow the gorge to be suburbanized.

Not all of the partisans of local control are camouflaged developers. Without disguise, and in all sincerity, inhabitants of the thinly populated portions of the gorge often defend local control as a logical way to defend their chosen lifestyle. They want to be left alone. They like it the way it is. The existence of surrounding open space is appreciated, and it is hard to understand that the preservation of this is exactly what conservation advocates hope to achieve through their proposals for strengthening gorge protective custody.

It is also hard for many to understand that the open space that they cherish in its present abundance and largely uncluttered natural condition is a prime magnet for developers. They live in the path of suburbia, which will flow over the new Interstate 205 bridge and into the gorge and spill out from the Vancouver-Camas area, one of the fastest growing sections in the region.

I believe it is a very safe assumption that a large majority of people familiar with the gorge, both close inhabitants and visitors from afar, would prefer its present state of prevailing natural beauty to the transformations in store for it unless new policies of administration intervene. The mantles of forests will be riddled with clearings for housing and for all the adjuncts of real estate development: grading, roads, utility poles and wires, eventually sewage plants, shopping centers, schools and all the various structures and facilities that communities require. Most of the north half of the gorge, from shore to skyline, is up for grabs, and there is nothing to prevent a blanketing of suburbia on an engulfing scale. Piecemeal nibbling, in bites of various sizes, at various times, is the way it will occur, to the obvious advantage of developers whose single operations may seem no major threat to the vast grandeur of the gorge. Yet subdivisions, which spread like cancers, are the most hopeless afflications of great natural landscapes. Forests, cut or burned, can regenerate. Quarries in loose rock (if cliffs are not blasted) can heal over. The creeping transformations of suburbia are irreversible.

At public meetings, I have listened with wonder to a Skamania County official give emphatic assurances that the gorge will not be damaged because of all the safeguards in place to prevent it. He gave a detailed list of what those safeguards are. Meanwhile, in total contradiction to what he said, a subdivision facing Multnomah Falls got a green light from county planners and commissioners to proceed with densities allowable only by circumvention of state laws. This implies a green light, too, for other subdivision proposals now waiting in the wings or being prepared for other seasons.

But land-use planning, whether local or otherwise, and no matter how civilized, is not the solution to all gorge problems. Parklands on the Washington side are as essential as on the Oregon side. Here there are opportunities for superb parks that, in some respects, would excel those on the Oregon side, parks that are the most popular in the region. Such opportunities would be lost if suburbia damages the scenery and prevents public access to recreational and inspirational resources of exceptionally high quality.

Who is going to accomplish the needed protection and improvements? Will the state of Washington do it? Can the counties in Washington do it? If it is going to be done at all, it will only be done with assistance of an agency that can straddle the river and cope with the mirror-image problems and possibilities of both halves of an indivisible landscape that is split in two administratively by state borders.

It is futile to discuss local control vs. federal involvement as if these were alternative means to the same ends. They are not; each leads to different goals. If you wish for the gorge to be suburbanized, local control will be your preference. If you wish the gorge to retain a prevalence of the natural beauty for which it has been nationally treasured, then federal involvement is your only choice.

John Yeon, a Portland architect, has been active in issues involving the Columbia Gorge since the 1930s, when he was chairman of the Columbia Gorge Committee of the National Resources Board, which published its report on the gorge in 1937.

Columbia Gorge Coalition

P.O. Box 266 • Hood River, OR 97031

Gorge hearing

Sen. Bob Packwood, left, asks a question of one of the witnesses at Thursday's hearing in Hood River on the Columbia River Gorge. Testifying in favor of a national scenic area above are, left to right, John Charles, Oregon Environmental Council, Don Hall, Vancouver Audubon Club, Mary McCurdy, Sierra Club, Chuck Williams, Columbia Gorge Coalition, and Nancy Russell, Friends of the Gorge.

THURSDAY, FEB. 17, 1983-THE ENTERPRISE, BINGEN-WHITE SALMON, WASH.

Senator hears protest, support

Billed to take testimony on the potential of tourism development in the Columbia River Gorge, Thursday's hearing also addressed the issue of local control versus a national scenic area and some specifics of proposed legislation.

Sen. Bob Packwood (R-Oregon) conducted the four-hour hearing which included 17 witnesses ranging from scenic area proponents such as Nancy Russell of the Friends of the Gorge to Skamania County Commissioner Bill Bensen, an adamant local control supporter.

A standing-room-only crowd filled the Columbia Room at the Hood River Inn for the morning hearing. Before testimony began, Packwood said he was there to find answers to such questions as: What should be done with the Gorge? Who should manage the Gorge? What should it be like 25 years from now? He added these are the kind of decisions that should have been made 25 years ago.

Packwood and other Oregon congressional representatives introduced federal legislation last year to create a national scenic area along an 80-mile stretch on both sides of the Gorge. Although the legislation died at the end of the 1982 congressional session, Packwood said it would be reintroduced soon. Thursday he said action on the bills will depend partly on the outcome of the hearing.

The hearing record will remain open for 60 days for additional written testimony. For information on how to submit such testimony call Packwood's office in Portland at (503) 221-3370.

First up to the microphones was Shirley Eads, director of tourism for Oregon. The Gorge is "one of Oregon's great unmarketed attractions," she said. Problems include lack of a unified effort, lack of funds and lack of major facilities and attractions, she said.

Jeff Breckel, manager of the Oregon and Washington Columbia River Gorge Commissions, said to retain the "special character" of the Gorge "an equitable balance between economic development and environmental protection must be achieved." The Gorge commissions support long-term management singular in nature providing for a full and equal participation of local, state and federal interests, he continued. He added referring to the legislation "primary or ultimate authority for planning and administration of the Gorge should be vested in the regional commission . . . "

Breckel also addressed several specifics of the bills including the need for provisions to establish and review growth boundaries around unincorporated communities in a manner similar to that proposed for incorporated areas.

Steve Lindstrom of Pacific Northwest Waterways Association said he was "skeptical" over the proposed legislation noting the Gorge was useful in many ways. A viable economy is needed to host tourism, he said indicating the drop in river traffic.

Lindstrom said the legislation would hurt the multiple use of the Gorge as it fails to recognize the necessity of the river as a transportation network. Also there are no provisions for existing industrial areas, such as the Dallesport park, he said. Steps to promote tourism can be taken without federal involvement, he added citing the state of Washington's recent campaign and recently formed Mid-Columbia Marketing group. Lindstrom said he supports strong local planning, possibly in the form of a regional or bi-state commission.

Bill Hemingway, president of Mid-Columbia Marketing and Port of Klickitat manager, talked about the marketing group formed to promote business, industrial and tourism development. He also noted the Gorge's multiple use character. In quoting unemployment figures for the area, he talked about the need to diversify adding, "Tourism development is a part of that diversification — but I emphasize, only one part." He cautioned of adverse effects the legislation might have including loss of individual rights and local jurisdiction and restrictions on development.

Jim Carpenito of Columbia Gorge United was the first speaker to get applause from the audience. A realtor in Vancouver, Carpenito said the two states have several tools in place to deal with land use and questioned the need for federal legislaton.

Federal involvment would mean more cost to taxpayers, he said and urged Packwood to allow the area to continue governing itself as in the past. "It has to do with people control," Carpenito said adding there are over 41,000 residents in the Gorge.

Bill Bensen stated his support for local control adding an interlocal agreement had been signed just that week between Klickitat, Skamania and Clark counties. He also received some applause after asking for more hearings in the Gorge with an unrestricted chance for everyone to speak.

In response to Bensen's local control stand, Packwood asked if people outside the area should have any say in what is done in the Gorge. "We don't interfere in their bounds," Bensen said of Portland and Seattle.

Packwood asked if management of the California redwoods area should have been left soley up to residents there. Yes, Bensen said, unless the government already owns the land or finds a willing seller. Packwood then said he'd hate to see where the national park system would be today if that was the position taken. "None would have been created."

Bensen said he welcomes guidance and suggestion but not a "firm voice" in local affairs. "It's a very clear position," Packwood said.

Next up on speaker's list were a number of proponents of the scenic area concept. "Only a federal answer will work," with six counties, 10 cities and two states involved, said Dennis Buchanan, Multnomah County executive. He added Multnomah County officials voted four to one in favor of the concept.

Eric Hovee, economic development manager for Vancouver, said a national scenic area would yield the greatest possible economic benefits for the area, giving it an identity "never before had." Vancouver is excited to serve as a gateway to the area, he added.

Asked if decisions upriver affect his area, Hovee said yes, no single attraction is enough and there has to be an overall development concept.

James Burke of the consulting firm Pacific Economica said he doesn't see anything detrimental in the legislation. Any legislation should be a partnership, he added.

Nancy Russell said the concern over Gorge management was not new and an interstate pact had been urged even back in 1930. She also lauded the cultural, natural and historic resources of the Gorge. The number one attraction, "its scenic grandeur," however is being threatened.

Russell showed a picture from State Route 14 which included a Lewis and Clark Highway sign with the old Gravel Pit restaurant (now remodeled, expanded and under new management as PJ's) and the adjacent gravel pit. She also cited the proposed Rizor short plat in Skamania County, which she said did not follow state or county laws, but was encouraged by local government and only stopped by a lawsuit filed by private citizens. Russell's testimony also drew some applause from the audience.

With tourism "you can have your cake and eat it too," said Skamania County resident Chuck Williams, a member of the Columbia Gorge Coalition, which originated the scenic area concept. He added in addition to the area set out for protection in the legislation, his group encourages protection for Columbia tributaries such as the White Salmon River.

In response to statistics presented by others showing a preference for local control, Williams said it's a "numbers game," and the feeling is very split. He added he has been involved in parks fights for years and has never seen as much local support as there is here.

Don Hall of the Vancouver Audobon Club said subdivisions are already encroaching and the stage is set for a three-fold increase in the coming years.

To prevent helter-skelter development a strong management agency is required, Hall continued. He said the forest service seems best suited as it already has a strong presence in the Gorge.

More on Gorge ... Page 3

—White Salmon view

—Hearing controversy

—Interlocal task force

—Meeting here

Gorge groups ambivalent about proposal

By JEANIE SENIOR
Correspondent, The Oregonian

HOOD RIVER — A regional management plan for the Columbia River Gorge outlined Tuesday by Govs. Vic Atiyeh of Oregon and John Spellman of Washington received mixed reviews Wednesday from gorge special interest groups.

The proposal would create a 23-member regional commission to oversee the gorge, with an eye to preservation of its natural and scenic resources. Federal funds would be sought for aid in preparing a management plan.

Gorge Defense League member Bob Leick said that the governors are "trying to carve out an area not subject to either Oregon or Washington laws, run by a commission that I assume is going to be a new federal agency."

Carl Mason of the Protect the Gorge Committee said, "We're enthusiastic at this point. At least at this conceptual stage, the elements that have been set down by the two governors certainly address some of the same concerns that we have addressed."

Mason's group, like Leick's, is trying to keep federal control out of the gorge. Mason, who is from Vancouver, Wash., said he was "hopeful that people could now get on about the business of striking some accord at this level."

Although he called the proposal "completely unworkable," Chuck Williams of Skamania, Wash., a spokesman for the Columbia Gorge Coalition, an environmental lobbying group, said the governors' stance "is going to break the stalemate and get things moving."

Williams said the coalition, which supports a national scenic area in the gorge, "thinks there has to be a lead agency to manage and purchase land."

The governors' proposal is "basically still a half-baked plan; they still haven't worked out the details, like how they would enforce . . . the comprehensive plan, how they would compensate the counties for tax losses as the federal government does," Williams said.

He also criticized Spellman, who broke a two-year silence on the gorge with announcement of the plan, for denying a hearing to environmental groups while he was considering the issue. "We were totally left out of the whole process; he is the only top official the coalition has never had access to."

Plan 'misleads public'

A director of Columbia Gorge United, another group that wants only local control in the gorge, said that "the good news is that both governors have come to the realization that federal control of the gorge is not the answer."

But the governors "don't recognize that the best alternative is already in place, that local citizens' involvement in their own community doing their own land use planning is the best alternative," said Jim Carpenito of Vancouver.

The governors' document, he said, "misleads the public into thinking that the Columbia Gorge is inhabited by citizens who are destroying the gorge, and that's totally incorrect."

The director of Oregon and Washington's Columbia River Gorge Commissions, the advisory groups that are appointed by each state's governor, said "I think it could provide a catalyst for coming up with a decent compromise solution."

Jeff Breckel, who has worked for the two states' gorge commissions for four-and-a-half years, said with careful development the governors' plan "could provide a very equitable compromise. I think this is the first thing we've seen yet in terms of balancing all the interests," he said, but he added that the gorge commission had expressed some uncertainty about "mixing elected officials, bureaucrats and citizens on one board."

THE OREGONIAN, THURSDAY, MARCH 17, 1983

Report rips Skamania's Gorge care

By THOMAS RYLL
The Columbian

BONNEVILLE DAM — Skamania County's "lax land use and platting controls" are allowing land divisions in a "leapfrog, haphazard manner" through one of the Columbia Gorge's most scenic area, members of the Oregon and Washington Columbia River Gorge commissions were told Wednesday.

The commissioners, who serve to only advise local governments on Gorge matters, have heard that before. But Wednesday, those comments came in a report that is the most thorough look so far at how land is being divided in a 10,504-acre area between the Clark-Skamania county border and Beacon Rock.

Groups pushing for federal control in the long-running debate about the Gorge's future argue that western Skamania County land development will be spurred by the opening of the Interstate 205 Bridge and aided by the county's land-use policies. Opponents urging local control say that climate, topography, access, septic tank limitations and uncertain water

SEE Gorge, PAGE B16

Gorge...

FROM PAGE B13

supplies will keep the Gorge from becoming one large subdivision.

Nancy Russell, chairman of the Friends of the Columbia Gorge, a group urging federal scenic area designation for the area, called the report "Worrisome evidence of what we have long thought — that the Columbia Gorge is being subdivided in its most sensitive areas."

Stevenson resident Dick Adlard, a Washington Gorge commissioner and former Skamania County extension agent, said the information is shocking.

"It's too late," said Adlard, who favors use of land for timber, not homes. "I actually feel as though we almost lost the Gorge."

In the study, presented Wednesday at a commission meeting at Bonneville Dam, Gorge commissions director Jeff Breckel said many of both side's past observations have been unsubstantiated or "based on inconclusive, and possibly erroneous, information."

To unearth the data the commissions now will use in making recommendations to the Skamania County Planning Commission, Breckel reviewed county records and several studies to document land use in the 16.4-square-mile area. The planning commission is updating the county's zoning ordinance and has asked special-interest groups to comment by March 31, said Bob Lee, county planning director.

The COLUMBIAN Thursday, Feb. 3, 1983
Vancouver, Wash.

Although the area studied has seen only scattered development, Breckel's report indicates that there are hundreds of lots that could be built on. He suggested that the commissioners consider asking Skamania officials to include design standards — such as earth tone colors, non-reflective surfaces and hooded yard lights — to minimize visibility of new homes. Lee said some standards already are being considered.

Lee did not contest the study's figures but defended the county's standards, saying increasingly tight short-plat restrictions are helping to ensure more controlled development. A short plat is a method of dividing land into four or fewer lots.

Skamania County commissioners are opposed to outside control of their policies.

The Gorge commissioners did not discuss the report. They will do that and hear public comments at their March meeting, Breckel said. Recommendations should be ready by April, he said.

According to the report:

● 111 parcels larger than 20 acres occupy 8,048 of the 10,504 acres — 76.6 percent.

● 529 parcels of 20 acres or less account for 2,456 acres, or 23.4 percent.

● Homes or other buildings occupy 245 parcels.

● Nearly 90 percent of the area is privately owned.

The COLUMBIAN Friday, Feb. 11, 1983
Vancouver, Wash.

Flycasters oppose Panther Creek dam idea

Fearing harm to the Wind River's wild steelhead run, the Clark-Skamania Flyfishers hope to thwart a potential hydroelectric dam on Panther Creek north of Carson.

The 60-member club has asked the Federal Energy Regulatory Commission for permission to intervene on an application by Ed Callahan of Home Valley and Erling Soli of Gladstone, for a permit to study hydroelectric potential on Panther Creek.

By intervening, the seven-year-old club gets legal standing to participate in FERC proceedings regarding the project, said Dave Geller, a state Game Department official in Olympia. The club will get copies of correspondence and the right to give testimony at FERC hearings.

It is the first time the group has asked to intervene in a hydroelectric proposal, said Bill McMillan, club conservation chairman. Club members oppose any dams in the Wind River drainage on streams used by salmon or steelhead.

Panther Creek is perhaps the most important spawning tributary for native summer steelhead in the Wind River system, he said.

A FERC preliminary permit would allow Soli and Callahan to spend up to 30 months studying the power-generating capability of a dam about six miles up Panther Creek. The dam would be within the Gifford Pinchot National Forest near Mouse Creek.

Callahan and Soli, who applied for the federal permit under the name of C&S Group, are proposing a 7-foot-high, 80-foot-long concrete dam that would divert water into a 1,000-foot pipeline leading downstream to a powerhouse containing two 1-megawatt turbine generators. The men believe the powerhouse would produce a flow of 9.9 million kilowatt hours of electricity.

Soli is a private civil engineer; Callahan a Skamania County commissioner.

The Game Department is managing the Wind River system for production of wild steelhead. Hatchery-bred steelhead no longer are released in the watershed. The Clark-Skamania Flyfishers were leading advocates of a wild-steelhead policy for the Wind.

McMillan said Panther Creek's watershed is in good condition, having been spared from extensive logging.

allen thomas OUTDOORS

The stream has an excellent flow of water all summer, important to wild steelhead survival. Club members, along with the Game Department, Forest Service and Skamania County sportsmen, have planted fertilized steelhead eggs in Panther Creek and removed barriers to fish passage.

A dam on the creek could reduce upstream passage of spawning adult steelhead and downstream movement of young on their way to feed in the ocean, said McMillan.

A dam also might reduce minimum flows needed downstream and cause siltation during construction, he added.

If FERC grants the study permit, the flyfishing club wants to be notified anytime work on or near Panther Creek is planned. The club also asks that Callahan and Soli be required to prepare studies on fish passage, minimum streamflows and compensation for unavoidable fish losses.

Callahan said he does not want to damage the fish runs.

"I'm all in favor of protecting the resource," he said. "I'm a fisherman and wouldn't dream of doing anything for personal gain that would hurt the resource.

"I think anyone who sees the design of that station will realize its not a detriment to fishing. If it were, we wouldn't go ahead with it."

Callahan promised proper fish passage for both the upstream-bound adults and downstream-headed young.

Senator HATFIELD. Mr. Vaughn.

STATEMENT OF THOMAS VAUGHN, EXECUTIVE DIRECTOR, OREGON HISTORICAL SOCIETY

Mr. VAUGHN. Thank you, Senator, for arranging this hearing. My name is Tom Vaughn. I'm here today as the representative of the Oregon Historical Society to urge, with others in this hearing, that strong protective actions be taken immediately to safeguard an increasingly endangered North American treasure, the Columbia River Gorge.

This can best be accomplished through a strong, balanced, and dedicated gorge planning team consisting of local government representatives, our two State governments, working with an experienced and well-regarded lead Federal agency.

Since 1980, the society has followed the hearings and general discussions concerning the increasing threats to the gorge. We are particularly anxious that appropriate stewardship legislation move forward as quickly as possible as staff and government committee workings can devise themselves.

We have heard during the course of these hearings appropriate references to the memorable Lewis and Clark Expedition in 1805 and 1806. They descended the Columbia River to its mouth, describing its wonders as they went.

Toward the end of the 19th century a small band of visionaries from the Board of the Historical Society trudged over the rough terrain of an area southerly from Astoria toward the sea. After much work and research, they defined the area where Lewis and Clark eventually made their historic winter camp.

There was little left to mark the travails of that first winter, but thanks to the sense of historic conservation evinced by our early preservationists, the first step was taken. In the face of commercial manufactory development, a narrowly timed site purchase was made toward the eventual establishment of Fort Clatsop National Memorial as we know it today.

When the society determined finally to give up that core site toward the realization of a much larger and more stable Federal installation, there was substantial local opposition. But, there was, as well, superb local support from Clatsop County, from the county historical society, clubs, many dedicated citizens. But, even as we worked toward a harmonious solution to ownership and control, none I believe could foresee that this site would grow from some four acres to 200 well-planned acres, and that this now permanent site would today annually attract over 150,000 registered visitors.

Today we number only supporters, and no detractors for this great historical site near the river's mouth.

And so it goes. Our stewardship in Fort Vancouver might very well have become the site of an aluminum plant had we not all acted together. That record reveals narrow timing, again, in 1950. Now, over 240,000 persons annually visit this irreplaceable attraction.

The Pioneer Courthouse in downtown Portland is now reversed. The Round Barn at Frenchglen, which might be only a vestigial pile of weathered boards on the grazing land of eastern Oregon had we not acted.

And so it is with Beacon Rock, which was scheduled early in the 1930's to be a giant gravel pit for jetties and highway maintenance. Some Oregonians would have been glad to save this great monolith. But, it was not theirs to save. However, after months of counseling with other groups, the generosity of the Biddle family, Erskine Wood, Sr., the Stevenson grant, and other interested parties, Beacon Rock became the first State park on the Washington shore of the Columbia Gorge.

I need hardly dwell on the equally narrow escape at Crater Lake, and others.

But, we speak today because we want tomorrow's generations to enjoy and draw inspiration and aesthetic and spiritual renewal from the scenic and historical resources of the Columbia River Gorge.

Senator HATFIELD. Thank you.

[The prepared statement of Mr. Vaughn follows:]

OREGON HISTORICAL SOCIETY

1230 S.W. Park Avenue
(503) 222-1741

Portland, Oregon 97205
Cable: Histore

March 25, 1983

Mark O. Hatfield
United States Senator
Committee on Energy and Natural Resources
Washington, D.C. 20510

I am here today as the representative of the Oregon Historical Society to urge with others in this hearing that strong protective actions be taken immediately to safeguard an increasingly endangered North American treasure, the Columbia River Gorge.

This can best be accomplished through a strong, balanced and dedicated Gorge planning team consisting of local government representatives, and our two state governments working with an experienced and well regarded lead federal agency.

Since 1980 the Society has followed the hearings and general discussions concerning the increasing threats to the Gorge. We are particularly anxious that appropriate stewardship legislation move forward as quickly as staff and government committee workings can devise.

We have heard during the course of these hearings appropriate references to the memorable Lewis and Clark Expedition in 1805-06. They descended the Columbia River to its mouth describing its wonders as they went.

Toward the end of the nineteenth century a small band of visionaries from the board of the Oregon Historical Society trudged over the rough terrain of an area southerly from Astoria toward the sea. After much work and research they defined the area where Lewis and Clark eventually made their historic camp during the winter of 1805-06. There was little left to mark the travails of that first winter, but thanks to the sense of historic conservation evinced by our early preservationists, the first step was taken. In the face of commercial manufactory development a narrowly timed site purchase was made toward the eventual establishment of Fort Clatsop National Memorial as we know it today.

It is important to recall now that when that program was initiated that location was commercially threatened and would eventually have disappeared.

When the Society determined to give up the core site toward the realization of a much larger and more stable federal installation there was substantial local opposition. But there was as well superb local support from Clatsop county, from the county historical society, from several clubs and many dedicated citizens. But even as we worked toward a harmonious solution to ownership and control, none, I believe could foresee that this site would grow from some 4 acres to over 200 well planned acres, and that this now permanent site would today annually attract over 150,000 registered visitors. Today we number only supporters of this great historical site near the river's mouth.

There are many other historic landmarks in our relatively young region which owe their preservation to such stewardship. In downtown Vancouver, Fort Vancouver might very well have become the site of an aluminum plant had we not all acted together. The record reveals the narrow timing in 1950. Now over 240,000 persons annually visit this irreplaceable attraction. The Pioneer Courthouse in downtown Portland would have been an energy-consuming parking lot if certain ambitions had not been resisted, and the Round Barn at Frenchglen might well exist only as a vestigial pile of weathered boards on the grazing land of eastern Oregon. Without our combined efforts in Washington and Oregon the Whitman Mission would never have been established. And in 1931, for example, the state of Washington initiated plans to reduce Beacon Rock into a giant gravel pit for jetties and highway maintenance. The situation was delicate. Some Oregonians would have been glad to save this giant monolith, but it was not theirs to save. However, after months of counseling and guidance by the Oregon Historical Society, by other groups, the generosity of the Henry Biddle family, Erskine Wood, Sr., and the foresight of Sam Boardman, then Oregon Superintendent of Parks, the Stevenson Grange, and many other Washingtonians, Beacon Rock became the first state park on the Washington shore of the Columbia Gorge. I need hardly dwell on the equally narrow escape at Crater Lake, and these are but a few examples among many - some of which are melancholy reminiscences rather than success stories.

For the last several years the fate of our matchless Gorge has been a matter of controversy among the peoples of the Pacific Northwest. Fortunately, while there is a divergence of opinion as how to best "manage" this great national treasure, there is general agreement with the goals as outlined in the draft of the legislation presented. Almost all of us are now committed to them. Today speed and partnership are the key words.

To sum them up: the goal of any legislation concerning the Columbia River Gorge is to safeguard the unique scenic, cultural, historic, and botanical values of the Gorge while maintaining its role as a major transportation corridor and promoting the economic viability of its urban communities. I believe this fits in with the matchless and really timeless statement about the Gorge enunciated by Mr. John Yeon half a century ago. There is, and will continue to be, dialogue in the pursuance of these goals, as there is elsewhere in America.

As stated by us in March, 1980, for the Oregon Historical Society to abstain from a part in these discussions would be to abandon our historic role as stewards of the unfinished past. If need be we will try to be a negotiating voice while continuing to offer our immense archival resources for historic research to bring us all toward the mutual ground of understanding and action. But our board members are convinced that all of us must continue working together in swiftly defining how the single governing unit, representing all Americans, can best bring this meaningful legislation to effective reality.

We do look back on some great triumphs won by our predecessors in this learned society; because of them we walk through the winter camp at Fort Clatsop, marvel at Beacon Rock, scramble through the Oregon Caves, and enjoy the amenities of life with the chief factor at Fort Vancouver, the soldiers at Fort Rains, and the weary pioneers at the end of the original Oregon Trail in the meadows of Rowena.

We speak today because we want tomorrow's generations to enjoy and draw inspiration and aesthetic and spiritual renewal from the scenic and historic resources of the Columbia River Gorge, and because we wish to express our thanks to the many persons who have sacrificed so much personal time and treasure in accepting our massive obligation to tomorrow.

Thomas Vaughan

Thomas Vaughan
Executive Director

Senator HATFIELD. I'd already chalked you off, Mr. Clark. I'm very happy to welcome you here this morning.

STATEMENT OF DONALD E. CLARK, PORTLAND, OREG.

Mr. CLARK. Senator, I appreciate the opportunity to be here this morning, and I'm delighted that you've seen fit to hold this hearing about a most important subject.

Twenty-nine months ago, Secretary of the Interior Cecil Andrus was in Portland, and assured me that legislation to protect the Columbia River Gorge would be actively pursued after the election. We all know what happened in November 1980, and the Carter administration was not in a position to pursue very much of anything.

Twenty-eight months ago, on the advice of U.S. Senator Mark Hatfield, I invited the building of a broad-based, bipartisan coalition to prepare a comprehensive and realistic approach to protect the gorge.

The response was immediate and substantial. An organization was formed whose membership held little in common except a sincere desire to protect the Columbia River Gorge. Because of the diversity of the group, compromise came very hard—but, it did come.

It was agreed that the legislation must provide a realistic program for the Columbia River Gorge that would manage what the gorge had become and not what many wished it still to be. On the other hand, no empty statement of general policy would do. There had to be a real governance, a workable decisionmaking organization that could produce results, and be held accountable for those results.

I, too, am pleased that the Governors of Oregon and Washington have agreed the gorge must be protected. I believe you should take their work and the current draft of the legislation and meld them. The final legislation must provide for the protection pending the adoption of the plan. It must provide for a management that will be able to make decisions and be held accountable.

If we can do these things, our grandchildren will remember us as the generation that saved the Columbia River Gorge. If we do not, our legacy and our epitaph will be greatly diminished.

Thank you very much.

Senator HATFIELD. Thank you, Mr. Clark.

I want to thank each one of you for being here this morning. Thank you, very much.

Now, the next panel: We will invite Mr. Bishoprick, Mr. Schaeffer, Mr. Yee, Mr. Wrabeck, and Ms. Garwood.

Mr. Bishoprick.

STATEMENT OF STANLEY BISHOPRICK, PROTECT THE GORGE COMMITTEE

Mr. BISHOPRICK. Mr. Senator and chairman of the committee, my name is Stanley Bishoprick, and I am representing the Protect the Gorge Committee, an organization formed in 1982 to seek and aid in facilitating a resolution of the Columbia River Gorge controversy short of Federal dominance over planning and management of the area.

In just a second, Mr. Senator, I'd like to take a second off. You mentioned a lady, Gertrude Jensen. She's a member of our committee.

Thank you for this opportunity to testify today. We deeply appreciate your willingness to consider all sides of this important issue, and appreciate, too, the sensitivity by which you and your staff have sought to balance the diversity of comment from all of us who share in the Columbia Gorge as its beneficiaries.

We have recognized the quality and the diversity of the gorge as a homeland, a major economic and transportation corridor for the region, and a landscape for the world. Our committee identified five basic objectives for resource management of the Columbia Gorge in a policy statement adopted in November, 1982, as follows:

One. The protection of the scenic and environmental qualities of the Columbia River Gorge through adequate planning and resource management.

Two. The recognition of economic and social interests in the planning and resource management of the Columbia River Gorge, and the mitigation of adverse environmental impacts from these activities.

Three. The inventory and conservancy management of a unique and sensitive resource by an inter-local or regional authority.

Four. The acknowledgment of and the accountability for land use planning and management with local officials, with performance review and sensitive-area compliance measured against guidelines, minimum standards, and compliance enforcement for an inter-local or regional authority, and;

Five. The active participation and cooperation of Federal and State agencies in accomplishing objectives otherwise noted.

Our committee believes that planning and resource management of the Columbia River Gorge can and should occur with accountability close to home. We've worked hard to achieve a consensus among Washington gorge counties for inter-local cooperation in their attention to the gorge, and certain gains, while measured, have been made. We continue to believe that local government must play a substantial role in the future of the gorge, and we believe that their collective attention to it can be far more persuasive as this matter evolves toward conclusion, whether that be in a Federal, bi-State, or single-State forum.

We recognize, too, however, that the inability to date to fashion adequate regional remedies in Washington State alone has prompted Governors in both Oregon and Washington to focus a regional discussion within a bi-State forum. That effort is a positive one and deserves applause and encouragement.

Our preference would have been to achieve local and State consensus in Washington State in advance of a direct engagement with Oregon because of the expressed concerns of residents upriver, an issue of timing and process, not results.

The Columbia River is clearly an indivisible unit, requiring common objectives in both States. We view the Governors' set of principles as an opportunity to fashion original legislation grounded in a new philosophy. It carries the potential to achieve balanced planning and a political consensus, neither of which are present in the pending Federal legislation or in unilateral county action. Both, however, are required for a truly successful outcome to this matter.

S. 627 now introduced in Congress carries the same onerous provisions as did similar legislation in 1982, and our organization opposes it. We would welcome Federal participation, but not preemption, as this bill allows.

Our committee encourages you and your colleagues to help in sponsopring legislation which will aid in bringing satisfactory closure to the controversy and secure a balance in the planning and management of the Columbia River Gorge.

We look forward to assisting in the effort. Thank you again for this opportunity to comment.

Senator HATFIELD. Mr. Mason.

STATEMENT OF ROBERT SCHAEFER, PROTECT THE GORGE COMMITTEE, AS PRESENTED BY CARL MASON

Mr. MASON. Mr. Chairman, on behalf of Robert Schaefer, who's been delayed in Olympia, I will read his statement into the record.

My name is Robert Schaefer, and I appreciate this opportunity to comment on the issues surrounding the Columbia River Gorge controversy.

I am a resident of Vancouver with property interests in the gorge, and am a charter member of the Protect the Gorge Committee.

As has been indicated, we seek a fair and equitable resolution of this matter, and we are convinced that it can occur without Federal control over future planning and management of the area.

The gorge serves as the single most important transportation corridor in the Northwest with its interstate highway, rail. and waterway access. Residents of the Columbia Gorge have, on balance, been good stewards, and they care deeply about its future and their own.

Local and State jurisdictions within the gorge need to be recognized for their attention to resource management. The Washington Shoreline Management Act, for example, serves as a model for the country, and I understand that Skamania County was the first in the State to have its plan accepted and approved. Local and State relationships can be fashioned to work for the common good.

The increasing visibility of the Columbia Gorge controversy is prompting serious attempts at inter-local agreement among Washington gorge counties, and they must be permitted a strong voice in future planning. Cooperation and accountability with local officials should be encouraged insofar as possible.

The set of principles recently announced by Governors Atiyeh and Spellman may well be a point from which consensus can begin to take shape, so long as local decisionmaking plays an important role in any management model which may be developed. We are certainly prepared to contribute our best efforts toward accomplishing their objectives.

I would request the Congress to withhold action on S. 627 in favor of new legislation embodying the Governors' principles which permits a true partnership in future management of the area. Federal dominance is unacceptable as a solution to this matter, just as surely as is inaction at the local level.

We are prepared to help in any way possible, and we sincerely request your efforts in facilitating a remedy which recognizes the integrity of local and State governments in the process.

Thank you for your willingness to consider our views, and we look forward to open and constructive dialog in reaching a solution acceptable to us all.

Senator HATFIELD. Thank you, Mr. Mason.

Mr. Yee.

STATEMENT OF BILL YEE, GORGE DEFENSE LEAGUE

Mr. YEE. Thank you, Senator Hatfield, for this opportunity to appear before this committee today.

Under section 2 of S. 627, the Columbia Gorge Act of 1983, paragraphs 6 and 7 read as follows:

> Human impact on the landscape of the Columbia River Gorge includes Federal hydroelectric power development, interstate highway construction, port and navigation facilities, farms, orchards, forest production, cities and towns, is intense; but, historically, much of the diverse scenic quality of the gorge has been preserved. The character of much of the landscape of the Columbia River Gorge has been maintained and enhanced by existing rural communities which should be protected and maintained.

Senator, we agree wholeheartedly with what you said in those two paragraphs. We commend you for recognizing that people live and work in the gorge and depend on its natural resources for their livelihood; and that the people and communities are an integral part of the gorge.

We think you would also agree that anything that would harm these people and communities would not be in the best interests of the gorge.

The people who live and work in the gorge favor protection of our home as a beautiful and scenic treasure. We believe in protecting the gorge from overdevelopment and inappropriate development. But we also treasure our unique rural, homestead culture, the heritage of farming and logging communities, and the rights of local people. These also deserve protection from the onslaught of big government and the protectionist zeal of urban dwellers who are combining to eradicate rural America.

Yes, it is the people and communities which are important for without them, what good is landscape and environment? It is no surprise, then, that the people of the gorge oppose the establishment of a National Scenic Area by a plurality of over 9 to 1.

Proponents of the Federal legislation discount this opposition by saying, well, if we just listen to the people who lived there, we would not have had Yosemite or Grand Canyon. But that's simply hogwash. Each situation must be evaluated on its own merits.

The Columbia River Gorge is not Yosemite or Grand Canyon, which were established nearly a century ago. It is too late to simply come in and turn the gorge into a national park. It is 100 years too late. It is three massive Federal dams too late. It is hundreds of miles of Federal transmission line too late. It is a Federal, four-lane highway too late. It is two railroad corridors too late. It is over 40,000 people and dozens of communities too late.

Any plan to change the governmental structure in the gorge must take into account the rights of those people and communities.

There is no question that the proposed legislation would protect the gorge from overdevelopment. But there's also no question that the legislation would place the people in the gorge in a situation where their rights are substantially less than those of other people in these United States.

Before the Federal Government acts to place tens of thousands of its citizens in a second-class status, it must be absolutely sure that it is the only way, and it is for the national good. If there is time, then other ways must first be tried.

Yet we cannot fault those who would have the Federal Government take care of the gorge. They simply want to keep the gorge beautiful. We, who live there, agree with them on that point. But, in their zeal, they have forgotten about the people. We liken them to the archeologists who, in order to preserve the arrowhead, would sacrifice the Indian. We must not allow this to happen. We must remember that in this Nation, the rights of people are paramount, that local government is the bulwark of our Republic. We are still a union of sovereign States, not a union of soviet socialist states.

The political theorist Benjamin Constant wrote over 150 years ago, "Everytime the government attempts to handle our affairs, it costs more and the results are worse than if we had handled them ourselves." That has been shown to be true time and again. Let us not make that mistake again.

The Governors of the States of Washington and Oregon recognize the excesses of this proposed legislation, and have proposed a solution of their own. There are certainly other possible solutions if we would only take the time and effort to look. Let us do that before we rush in haste into a plan which we may all regret later. We urge you not to rush this Federal legislation, but give local governments and local people a change to work out their own plans for gorge protection.

Thank you, Senator.

Senator HATFIELD. Thank you, very much.

[Applause.]

[The prepared statement of Mr. Yee follows:]

TESTIMONY

GORGE DEFENSE LEAGUE

Before

UNITED STATES SENATE

ENERGY AND NATURAL RESOURCES COMMITTEE
PUBLIC LANDS AND RESERVED WATERS SUBCOMMITTEE

HONORABLE MARK HATFIELD

BPA Auditorium
Friday, March 25, 1983

GORGE DEFENSE LEAGUE
PO BOX 780
STEVENSON, WA 98648

Thank you Senator Hatfield for this opportunity to appear before this Committee today. The Gorge Defense League is an organization representing hundreds of families who live and work in the Columbia River Gorge, and our many supporters everywhere who share our belief that the gorge can be best managed by those who live and own property there.

Under section 2 of Senate bill 627, The Columbia Gorge Act of 1983, paragraphs 6 and 7 read as follows: (6) human impact on the landscape of the Columbia River Gorge including Federal hydroelectric power development, interstate highway construction, port and navigation facilities, farms, orchards, forest production, cities, and towns, is intense, but, historically, much of the diverse scenic quality of the Gorge has been preserved; (7) the character of much of the landscape of the Columbia River Gorge has been maintained and enhanced by existing rural communities which should be protected and maintained.

Senator, we agree wholeheartedly with what you said in those two paragraphs. We commend you for recognizing that people live and work in the gorge, and depend on its natural resources for their livelihood, and that the people and communities are an integral part of the gorge. We think you would also agree that anything that would harm those people and communities would not be in the best interest of the gorge.

The people who live and work in the gorge favor protection of our home as a beautiful and scenic treasure. We believe in protecting the gorge from overdevelopment and inappropriate development. But we also treasure our unique rural homestead culture, the heritage of farming and logging communities, and the rights of local people. These also deserve protection from the onslaught of big government and the protectionist zeal of urban dwellers who are combining to eradicate rural America.

We believe that S.627 is an example of federal overkill, an example of what fervorous protectionists see as a solution to a perceived problem. We see no evidence of overdevelopment by the people of the gorge, or the governmental agencies in the gorge. We see no condominiums, no wall to wall houses, no polluting industries; the gorge is still a beautiful and magnificent place. A new bridge six miles from the heart of Portland is being used as an excuse to turn the gorge, our home, into a federal reservation in order to satisfy the egos of a few people who, in most part, do not live in the gorge, or care about the rights of the people who do live there.

Yes, it is people and communities that are important, for without them, what good is landscape, or environment; what good is America, or freedom? It is no surprise then, that the people of the gorge oppose the establishment of a National Scenic Area there by a plurality of over nine to one. Proponents of the federal takeover discount this opposition by saying "well, if we just listen to the people who live there, we would not have had Yosemite or Grand Canyon". But that is simply hogwash! Each situation must be evaluated on its own merits. The Columbia River Gorge is not Yosemite or Grand Canyon, which were established nearly a century ago. It is too late to simply come in and turn the gorge into a national park. It is a hundred years too late; it is three massive federal dams too late; it is hundreds of miles of federal transmission line too late; it is a federal four lane freeway too late; it is two railroad corridors too late; it is over 40,000 people and dozens of communities too late!! Any plan to change the governmental structure in the gorge must take into account the rights of those people and communities.

There is no question that the proposed legislation would protect the gorge from overdevelopment. But there is also no question that the legislation would place the people of the gorge in a situation where their rights are substantially less that those of other people in these United States. Before the federal government acts to place tens of thousands of its citizens in a second class status, it must be absolutely sure that it is the only way, and that it is for the national good. If there is time, then other ways must first be tried. Only as a last resort may the government violate the constitutional rights of a few for the good of the entire citizenry. In the case of the Columbia River Gorge, the federal government is being asked to take under its control hundreds of thousands of acres of land, and create over 40,000 new inholders, and all on the premise, not that the land is being overdeveloped, but that it would be overdeveloped if the government did not do this. Is this not exacting punishment before the crime has occurred? We believe the people of the gorge are being punished for wanting to live in a beautiful area which is coveted by those who would like to see an uninhabited park in their back yards.

Yet we cannot fault those who would have the federal government take care of gorge. They simply want to keep the gorge beautiful, and we who live there agree with them on that point. But in their zeal, they have forgotten about the people. We liken them to the archaeologist, who, in order to preserve the arrowhead, would sacrifice the Indian. We must not allow that to happen; we must remember that in this nation, the rights of people are paramount; that local government is the bulwark of our republic. We are still a union of sovereign states, not a union of soviet socialist states. The political theorist Benjamin Constant wrote over 150 years ago, and I quote: "Every time the government attempts to handle our affairs, it costs more and the results are worse than if we had handled them ourselves". That has been shown to be true time and again. Let us not make that mistake again.

The governors of the states of Washington and Oregon recognized the excesses of this proposed legislation, and have proposed a solution of their own. There are certainly other possible solutions, if we would only take the time and effort to look. Let us do that before we rush in haste into a plan which we may all regret later. We urge you not to rush into this federal legislation, but give local governments and local people a chance to work out their own plan for gorge protection.

Attached is a copy of the Gorge Defense League's testimony before the Governor's Select Committee on the Columbia Gorge. Although it was given a year and a half ago, it is still a document which outlines our view of federal control of the gorge. It gives details of existing Skamania County land use controls, and also details of other areas of federal control which we think gives a picture of what is in store for the gorge under this proposed legislation. Please give it your careful attention.

8/12/81

TESTIMONY
# of the
GORGE DEFENSE LEAGUE
to the
GOVERNOR'S SELECT COMMITTEE

We appreciate this opportunity to appear here today and to aid this committee in finding a fair and equitable solution to the Columbia River Gorge issue.

The Gorge Defense League is a group of concerned citizens who live, work, and own property in the Gorge. We are the ones who must live with the final plan devised for management of the Gorge 365 days of the year. Because of this fact, we favor a plan that would retain local control and the right of the citizenry to be governed by locally elected officials as is the right of all people in this state and the United States.

We also favor protection of the Gorge as a beautiful and scenic treasure. We believe in protecting the Gorge from overdevelopment, and from inappropriate development. But we also believe in protecting another valuable and unique asset of the Gorge, and that is its people and communities. This unique rural homestead culture, the human rights of pioneering families, and the heritage of the farming and logging communities are also treasures that deserve to survive the onslaught of big government and the protectionist zeal of urban dwellers who are combining to eradicate rural America.

Ladies and gentlemen, the federal solution is a last resort solution. It is the ultimate and final solution, for it takes away the human rights and property rights of tens of thousands of people and their descendants, all in the name of the public good. Therefore, it must not be used except where it can be clearly demonstrated that no other solution exists or can work.

The Gorge Defense League feels that it has not been demonstrated that such a final desperate solution is needed. The Gorge is not facing imminent destruction from overdevelopment. There is time to achieve a solution that is satisfactory to all.

There has been criticism that Skamania County has no zoning. But that does not mean there are no land use regulations, for indeed there are. We challenge the proponents of the final solution to point out evidence of destruction, overdevelopment, or visual blight brought about by negligent land use planning. The ethics of the proponents of the final solution are questionable when they use the uninformed press from metropolitan areas to advise their readers that "already there are garbage dumps, rock quarries, junk piles and plans for sprawling development" when the actual facts are that Skamania County eliminated all garbage dumps within the past few years. All garbage, in fact, is transferred at transfer stations and disposed of totally outside of Skamania County and the Gorge. Rock quarries are already regulated by the State of Washington and are strictly required to be screened from view and to have detailed reclamation plans in effect prior to mining. New rock quarries are not allowed on the face of the Gorge. Junk piles are in the eye of the beholder except that no specific piles are identified for which a rebuttal is necessary. Plans for sprawling development exist only in the minds of the "Friends of the Gorge" — not in the offices of any county, state, or other officials who would have such plans if they in fact existed.

In addition to the abolishment of garbage dumps, Skamania County has in force, and has had for several years, a

Comprehensive Land Use Plan,
Subdivision Ordinance,
Short Plat Ordinance,
Building Codes,
Air Pollution Control Standards,
Shorelines Management Act,
Environmental Policy Act,
Sanitary Sewer and Water Regulations,
Minimum Lot Size Standards,
Mobile Home Park Ordinances,
Camping Ordinances,
Forest Practices Act,
And many, many more land-use regulations.

The dynamics of local government changing to meet the needs of the time had established a citizen's committee to develop a plan for zoning in the West end of Skamania County, almost three years ago. Independent of any pressure from the proponents of the federal legislation, that committee, the County Planning Commission, and the County Commissioners report that they are nearing the implementation of this zoning, thus showing how the democratic local process works contrasted to a proposed federal bureaucrat not responsible to the electorate imposing his will upon the people.

Much has been made of the fact that there are 26 parks on the Oregon side of the Gorge, and only four on the Washington side. Yet the critics make no mention of the fact that Beacon Rock State Park is nearly as big in land area as all of the Oregon parks combined. There is also very little said about need. During the recent hot weather, the Oregon parks were jammed to the point of discomfort. But Beacon

Rock was not anywhere near capacity. The Oregon side with its 26 parks has an inadequate number of parks, but the Washington side is fully adequate to the need. Most importantly, the existence of Beacon Rock State Park has been attributed to the efforts of the State of Oregon when, in fact, Beacon Rock itself was donated by a Washington resident and over half the total acreage in Beacon Rock State Park was donated by Skamania County. Can anyone in Multnomah, Clark, or other metropolitan communities match this type of dedication to preservation?

But what if the final solution proponents prevail? What is in store for the Gorge and its people? Let us look at the facts — the documented historical facts! The story is one of horror and frustration, of broken promises and abuse of legislative intent. The will of Congress was willfully distorted and ignored. The evidence is documented in the reports of the federal government's own watchdog agency, the General Accounting Office. For example, the GAO said in the following reports:

> **Lands in Lake Chelan National Recreation Area Should Be Returned to Private Ownership.** (CED-81-10) (January 22, 1981) In this report, GAO recommended that lands be returned to private ownership because the Park Service has ignored that intent of Congress to preserve the unique culture that existed in Stehekin and Lake Chelan, had again not used alternatives, and in fact had reduced the ability of the NRA to service the visiting public with accommodations by half. In addition, GAO stated that development pressures, being used by the Park Service as the reason for more appropriations, were actually caused by the land management policies of the Park Service.

Federal Protection and Preservation of Wild and Scenic Rivers is Slow and Costly (CED-78-96) (May 22, 1978)

GAO said that the Forest Service and Park Service ignored the intent of Congress and bought fee title or easements where Congress intended minimal land acquisition. St. Croix National River was cited as an example. For that area, Congress had said no more than 1,000 acres should be acquired, but by 1978 the Park Service had purchased over 21,000 acres.

Federal Drive to Acquire Private Lands Should Be Reassessed. (CED-80-14) (December 14, 1979)

GAO stated that in reviewing 19 federal areas, 18 were poorly managed. Too much was being acquired, it said, for too much money and that, as in its previous report, alternatives to fee acquisition were not considered. In addition, GAO said that no system of priorities was set up so that land might be purchased which was not needed, while critical lands that were threatened went unpurchased.

GAO also said that little attention was paid to the impact on local communities, local government or local landowners. The report recommended oversight hearings on the abuses and stated that 10 billion dollars would be spent in the next 11 years between the federal and state sides of the Land and Water Convation Fund unless changes were made.

At Fire Island National Seashore, the federal government again abused the legislative intent. A number of communities, totaling some 4,800 homes on the island, were to be protected by exempting them from NPS management. Gradually, these exempted communities have been eroded by cutting off access, almost eliminating reasonable travel to their homes by car and by a successive series of restrictions and dune district designations (some by law but most by administrative action), which if taken by themselves were fairly minor; however, when lumped together, they have resulted in many homes being condemned and torn down. The communities thus found themselves not exempt as they had been promised both by members of Congress and representatives of the National Forest Service.

One of the most dramatic realizations to Fire Island residents came when the deputy director of the National Park Service testified recently that it was the intent of the service to return the island to its natural state. This agency restatement of purpose for an area not only was totally inconsistent with the intent of Congress but has so enraged the issue to cause both senators from the state to call for oversight hearings and a General Accounting Office review of the entire management of the Fire Island National Seashore.

The results of that review was the GAO report entitled:

The National Park Service Should Improve Its Land Acquisition and Management At The Fire Island National Seashore.

(CED-81-78) (May 8, 1981)

The report says "The National Park Service's zoning standards at Fire Island National Seashore are too restrictive and permit land to be acquired that is not needed to achieve the purposes of the Fire Island National Seashore Act. The National Park Service should revise its zoning standards, establish criteria for acquiring properties, and sell back to private citizens land it acquired but does not need."

Here are some other examples of federal management:

Cuyahoga Valley National Recreation Area (National Park Service)

This is one of the most dramatic examples of direct violation of law by a federal land manager. The law states that the National Park Service should not acquire land in fee title except for specific administrative need and to protect the resource, and it strongly encouraged the use of scenic easements. By July 1978, over 300 families had been forced to sell under threat and actual condemnation, and no scenic easements had been issued by the Park Service. The number of fee title acquisitions is now over 500, with less than 10 percent scenic easements. The power of condemnation, plus the absolute disobedience of the law and the intent of Congress, has totally destroyed a quaint little farming valley and a number of communities. A mass relocation of people occurred, and much of the history and culture of the area is now lost.

Mt. Rogers National Recreation Area (National Forest Service)

When Mt. Rogers was created, a letter was sent to the Senate committee considering the bill by the chief of the Forest Service stating that 39,500 acres would be purchased, 40 percent of which would be scenic easements. The purpose of that letter in 1966 was to help establish congressional intent and the Forest Service understanding of that intent. Clearly the understanding was that 15,800 acres would be scenic easements. The theme of Mt. Rogers was to preserve rural America in the Appalachian Mountains of southwest Virginia.

The results are astounding. By May 1980, 26,000 acres had been purchased in fee and a new general management plan issued showing many more thousands of acres, including homes and communities, were slated for condemnation. At that time, not a single scenic easement had been issued, and much of rural America in Mt. Rogers no longer exists.

Big Cypress National Preserve (National Park Service)

"The Secretary may acquire lands in fee or interests less than fee which he determines are necessary for the management of the resource and for the purposes of the act." Upon passage of the original bill, 46,000 landowners and over 1,000 of those properties were specifically protected from condemnation by provisions in the law. Less than 100 of those improved protected properties remain today, and almost all of the remaining lands have been acquired or are in condemnation. The Park Service states that they interpreted the language of the law to mean all lands within the area designated by Congress shall be acquired.

Another example of the so-called built-in protection being ignored or twisted!

Indiana Dunes National Lakeshore (Park Service)

Here communities were exempted and guaranteed noncondemnation again. The 1966 law was a compromise to settle a battle going on since the 1920's. It guaranteed no condemnation. Then in 1976, when the local people had relaxed their guard, the law was changed and those in the area who thought they were protected by the compromise lost their rights and faced condemnation. In addition, two-thirds of the town of Beverly Shores was taken out of exempt status and placed in the Lakeshore. In 1978, more legislation was proposed that would take the rest of Beverly Shores with 330 homes on 630 acres with schools, churches, gas stations, and so forth. It would have required acquisition of all private land in six years.

In 1980, this same legislation was again proposed and would also attempt to take parts of Dune Areas and Porter Beach, communities that were promised never to be even considered for acquisition or annexation into the lakeshore.

These are just a few examples of abuses by federal bureaucrats. There are many more. Delaware Water Gap National Recreation Area, Appalachian Trail, Pt. Reyes National Seashore, St. Croix National River, Sleeping Bear Dunes National Lakeshore, Buffalo National River, Snake River Birds of Prey National Conservation Area, and the list goes on and on with too many to name.

No wonder with documented evidence like that the people of the Gorge are angry and scared. When turned over to the bureaucrats to administer, legislative guarantees became meaningless.

But yet, this dreadful scenario need not be repeated again. Through prudent and effective local control, the beauty of the Gorge and the rights of the people can be preserved. The communities and the rural character of the Gorge can be saved. Local government has the mechanisms to do it. All we ask is that they be given a chance. When human rights is the issue, is that asking too much?

Thank you for this opportunity to present our side. We welcome your questions and comments.

Senator HATFIELD. Let me ask the audience again to please cooperate. We have many people to be heard today, and we won't get around to all of them if we get ourselves delayed by interruptions.

Mr. Wrabek.

STATEMENT OF JOSEPH WRABEK, COLUMBIA GORGE UNITED

Mr. WRABEK. Thank you, Senator. My name is Joseph Wrabek. I am a resident and homeowner in the Columbia Gorge and am a member of Columbia Gorge United, a coalition organization of individuals and groups opposing Federal control of the gorge. On their behalf, I'm here to testify today.

I'd like to address my remarks to some aspects of the gorge which may suffer from comparative lack of attention amidst all this protestation of scenic grandeur.

The proposal to place an area of tremendous economic importance to the region, and with a population of 41,000 people, under centralized Federal management has raised serious questions about the continued viability of the area's current trade and tourism. The ability of the local economy to survive under such imposed preservation has raised grave doubts whether the people who live here are going to continue to be allowed to do so, or whether they are to be squeezed out between the twin pressures of the permanent elimination of jobs and the whole confiscation of private property that is authorized in order to carry out this preservation; and, it has raised public concern bordering on outrage, inside and outside the gorge, that the U.S. Government would or could be seriously considering the deliberate imposition of such drastic measures against its own citizens; and be considering, moreover, the expenditure of hundreds of millions of dollars to finance this in the midst of the worst economic depression in 50 years.

Now, I'd like to depart from my prepared remarks for a moment and clear up one misconception that Mr. Chuck Williams may have given you. We researched this exemption of our incorporated communities under this legislation, and we were told that the fact a boundary line was going to be drawn around those communities, and that they would become islands in this federally-managed sea, made them in-holdings; and, by definition, cities could be acquired under existing Federal law at the rate of 3,000 acres per year per national forest.

It would seem that our exemption is more shadow than substance, in light of that.

Now, we've been told this scenic area legislation is necessary to protect the environment of the gorge. In fact, the legislation protects nothing and preserves nothing. What it does is transfer the authority to protect the gorge out of the hands of local and State elected governments and into the hands of appointed Federal experts, whose qualifications for the job include neither residency in nor familiarity with the area, and who will be under no obligation to consider the input of local residents beyond accepting offers to purchase their property for the government.

The gorge's well-preserved state to date, despite its proximity to a large, metropolitan area, and without—often, in spite of—Federal action, seems to be attributable to the concerted efforts of an environmentally-aware and conservation-minded citizenry and their elected governments, which ought to be applauded and recognized, not cast aside and used as an excuse for taking away their ability to manage their own property, which thus far they have done quite well.

What seems to be at stake here is not scenery, but rather a more fundamental premise of freedom—the right of American citizens to continue to remain American citizens; to control their local affairs through their own freely-elected governments; to continue the free use and quiet enjoyment of their own private property; and, to be secure in their communities against outside attack.

People in other areas of the country do have these rights. If Congress is going to declare that the people living inside an administratively-determined boundary will no longer be entitled to these rights, it raises some hard questions. Is it legal? If it is, how far are we going to continue it?

What the proponents of this legislation seem to be saying is that the people here are not capable of self-government; that the exercise of Constitutional authority by elected representatives of the people——

[Timer bell.]

Mr. **Wrabek** [continuing]. Is dangerous; and, that the existence of private property, however well maintained, is a threat to the environment which must be halted.

These are dangerous ideas, and we urge Congress and this committee to give them the prompt and permanent burial they deserve.

Thank you.

Senator **Hatfield**. Thank you, very much.

[The prepared statement of Mr. Wrabek follows:]

TESTIMONY of COLUMBIA GORGE UNITED
in re: S. 627
Senate Energy & Natural Resources Committee
Subcommittee on Public Lands and Reserved Water
25 March 1983
Portland, Oregon
Page 1

Members of the Committee:

My name is Joseph Wrabek. I am a resident, homeowner, and elected city council member in Cascade Locks, Oregon, one of the 21 towns and cities in the Columbia River Gorge. I am Vice-chairman of The Committee to Preserve Property Rights, a broad-based organization with chapters in 48 communities in Oregon and 52 in Washington. And I am a member of COLUMBIA GORGE UNITED, a coalition of individuals and groups opposed to Federal control of the Columbia Gorge, which our Committee was instrumental in forming last year, and on whose behalf I have been asked to testify against S. 627, the bill to turn 480 sq. mi. of Oregon and Washington into the nation's 'National Scenic Area'.

I am presenting along with my remarks resolutions and position statements on behalf of a number of governments and groups which were not permitted to have representatives appear before this committee. I am also tendering a number of petitions—which are still circulating—signed by people inside and outside the Gorge who oppose this ambitious and expensive legislation and are appealing to you as citizens petitioning their government that it not be enacted. Most of them are not being allowed to appear before you today, either.

Reviewing the witness list for this hearing, which includes no less than 14 card-carrying members of the 'Friends of the Gorge', the tiny but well-heeled organization of Portland residents which largely authored and has lobbied for this ambitious extension of Federal lawmaking authority, I have been tempted to object to a hearing process which accords such a disproportionate influence to a special-interest pressure group with less than 1000 members while denying the thousands of residents, businesses, governments, and recreational users who will be affected by this legislation an equal opportunity to be heard. However, I have in hand a 1974 report by Prof. R. Kenneth

Godwin and Brice Shepard entitled *Land Use Policies: Winners and Losers*, produced under a Rockelfeller Foundation grant, which points out that it is not your fault, that hearings, Federal and state, concerned with the regulation of the private use of private property, cannot avoid overrepresenting the vocal and well-organized while disenfranchising those who are not, that it must inevitably penalize the poor, the less educated, the rural, and those who do not have political connections outside the ballot box, by forcing them to be something else in order to get any attentioh. This defect is inherent not in the system, but in its application to local concerns and individual interests which the Federal government was never intended to be involved in. The only way the Federal government can treat people fairly in this matter is to *not interfere*—and that is what the residents and others concerned with the future of this area are, ahd have been, asking that you do. If you pass this legislation, you will be consigning the people of this area to an endless series of hearings such as this one, at which those who are not wealthy, organized, and well-connected will not be represented, and to paraphrase Godwin, will be ultimately recognized as the victims only when someone finally does a body count.

Since the scenery is so well-represented at this hearing, I would like to address some facets of the Gorge which may suffer from comparative lack of attention amidst all the protestations about its scenic grandeur. As Mr. Raymond Dasman of the Conservation Foundation pointed out in *The Destruction of California*, the creation of Federal parks and wilderness areas too often overlooks the effect of those set-asides on an area's economic viability, its communities' survival, and residents' individual lives. We feel this is particularly true with respect to the Columbia River Gorge. This is the first time that an area not only with a significant population, but with tremendous regional economic importance, has been proposed to be placed under direct Federal management in the name of 'scenic preservation'.

TESTIMONY of COLUMBIA GORGE UNITED
in re: S. 627
Senate Energy & Natural Resources Committee
Subcommittee on Public Lands and Reserved Water
25 March 1983
Portland, Oregon
Page 3

And it has called into question the motivation and operation of our nation's vast and enviable Federal park system, which has expanded in recent years into a bewildering plethora of National Monuments, Battlefields, Volcanic Areas, Historic and Military Parks, Seashores, Lakeshores, Preserves, Reserves, and Recreation Areas, at considerable expense to the nation's taxpayers and, we hear increasingly, at a cost to individual Americans in rural areas of their jobs, their homes, and in some cases, entire communities. It is about time we addressed what we are doing to ourselves, and why, and asked how far we are going to allow this to continue.

The Columbia Gorge has been a vital link in this nation's economy since the earliest days of Western settlement. Today it is the conduit between the products and markets of an entire region and the nations of the Pacific Rim. Its dams supply electricity to five states. Its wheat, fruit and timber are shipped worldwide. Its scenery is driven past--one can hardly call it 'viewed'--by over 2,000,000 freeway travelers annually, 90% of whom do not contribute one thin dime to the local economy in their passing. And it is the home of 41,000 Americans who live in this location by choice and as free citizens, and whose presence here for more than 3 generations has made so little impact on the landscape and environment that their existence has been, and continues to be, roundly ignored.

The proposal to place the Columbia River Gorge under centralised Federal management in the name of 'scenic preservation' has raised serious questions about the continued viability of the area's trade and tourism, and the ability of the local economy to survive, under the burden of such imposed 'preservation'. It has raised grave doubts whether the people who live here are going to be allowed to continue to do so, or whether they are to be squeezed out between the twin pressures of the permanent elimination of jobs and the wholesale confiscation of private property which is authorised in order to carry out this 'preservation'. And it has raised public concern bordering on outrage, inside and outside the Gorge, that the United States Government would or could be seriously considering the deliberate imposition of such drastic measures against its own citizens, and be considering, moreover, the expenditure of hundreds of millions of dollars of the taxpayers' money to finance this dragonnade in the midst of the worst economic depression in 50 years.

It is probably appropriate to express appreciation for the re-drafting of the 'Findings and Purposes' section of this bill to include a recognition, however belated, that people really do live in the Columbia Gorge, and that those quaint 'historic pursuits' of farming, grazing, orcharding and lumbering happen to be our livelihood. It is unfortunate that the body of the bill, which remains virtually unchanged from last year, does not provide any actual protection for those people and their jobs which have been reluctantly recognised to exist, nor does it indicate whether those people will be able to carry on those 'historical pursuits'on property which they will continue to own, or whether they will only have the option of tilling 'protected' Federal land as serfs of the Government—sort of a 'Williamsburg-in-the-Rough'.

We do notice that the Secretary of Agriculture is authorised to transfer an unspecified amount of land 'by donation, purchase, exchange, or otherwise' out of private hands into the Federal domain, and to spend as much as he decides is necessary to do so. He is authorised to acquire by condemnation 48 sq. mi. of privately-owned land in this 480-sq. mi. park, which, since approximately one-half of the area is already Federally-owned, means he can condemn 1 acre in every 5.

Now, he is authorised to condemn land only under limited conditions. He may condemn any property which he has designated 'critical', either by administrative fiat or in his Management Plan. He may condemn any property which he decides is 'needed' by the Federal government, not just for 'preservation', but also for 'development' if he decides that is more appropriate. He may condemn any property whose use or maintainance, in his opinion, has 'substantially changed' since July 1, 1981—one of those interesting retroactive provisions that ought to create quite a profitable s seller's market in old photos. And he may also condemn any property which the owner refuses to sell. Obviously one of the things we are not preserving is the tax base.

Another thing the legislation does not protect or enhance is the Gorge's communities, many of which have a longer history than the U.S. Government itself. 13 of those towns are presumed not to exist under this legislation: Springdale, Corbett, Latourell, Bridal Veil, Dodson-Warrendale, Rowena, Dallesport, Lyle, Home Valley, Carson, Skamania, Cook and Prindle. The 'Friends of the Gorge' have even suggested that some of these towns should be designated 'critical areas' and their buildings rased and populations dispersed in order to 'save' them from 'development'.

The remaining 8 incorporated cities, we are told, are to be 'exempt'; a boundary line will be drawn around them and they will not be part of the park. In all but two cases, that boundary line will be the city limits; suburbs will only be exempt if the city's urban growth boundary was approved before July 1, 1981. Washington's 4 cities do not have such urban growth boundaries; neither, on July 1, 1981, didthe two largest Oregon cities—Hood River and The Dalles.

And what of the truncated cities-sans-suburbs that will remain as islands in this sea of Federally-managed land? There is a legal term for such islands. They are called 'inholdings'. We know a little about 'inholdings' here in the Gorge. In 1980, the little community of Wyeth was wiped off the map by the Forest Service—its land bought up, the people moved out, the houses burnt down. Wyeth was an 'inholding'. Existing Federal law allows the Forest Service to buy or condemn 'inholdings' at the rate of 3000 acres per year per National Forest (and there are two in the Gorge), and they do not even have to have an excuse for doing so. All they have to have is the money. Our cities' 'protection' would seem to be more shadow than substance. Clearly, this legislation causes more problems than it solves.

This 'Scenic Area' legislation has been touted as necessary to protect the environment of the Gorge. In fact, the legislation protects nothing and preserves nothing. All it does is transfer the authority to protect the Gorge—or develop it—out of the hands of elected local and state representatives and into the hands of appointed Federal 'experts' whose qualifications for the job include neither residency in nor familiarity with the area, and who will be under no obligation to take into account in their 'management for the public good' any needs or input of the area's population except for offers to sell property to the Federal government.

In fact, the Gorge's well-preserved state to date, despite its proximity to a large and obviously acquisitive metropolitan area, and without—indeed, often in spite of—Federal action, seems to be attributable primarily to the concerted efforts of an environmentally aware and conservation-minded local citizenry and their elected local government. Those efforts should be being applauded and encouraged, not cast aside in favor of something nebulous and untried. They certainly should not be used as the reason for taking away these people's ability to manage their own land, economy and future, which they appear capable of doing quite well. One must question whether transferring the authority and responsibility for the future of the Columbia Gorge to the Federal government—whose primary contribution to the preservation of this 'scenic treasure' to date has been 3 hydroelectric dams, a 4-lane freeway, and miles of transmission lines strung across the face of our cliffs—is at all a good idea.

What is at stake here in the Gorge is not scenery, as this bill's proponents suggest, but rather a more fundamental principle of freedom and individuals' civil rights—the right of individual American citizens to remain American citizens, to have the right to control their own local affairs through their own freely elected local governments, and to continue to have the free and quiet enjoyment of their own private property, and to be secure in their communities against outside attack. People in other areas of this country have those rights, do they not? If Congress is going to declare that the people living inside an administratively determined area will no longer be entitled to those rights, in order to further 'scenic preservation' or for any other reason--they are going to have to face up to some hard questions. Is it legal for Congress to do this? And if it is, where are we going to stop and who is going to be next? How far are we going to let this go before we call a halt?

What the proponents of this bill seem to be saying is that the people here are not capable of self-government; that the exercise of constitutional authority by elected representatives of the people, however well done, is dangerous and must be prevented; that the existence of private property, however well maintained, is a threat to the environment and must be halted. These are dangerous ideas. We urge Congress and this committee to give them the prompt and permanent burial they deserve.

President Reagan, in his Inaugural Address, promised to return government to the American people. Congress could help simply by refusing here and now not to take any more of it away.

Thank you.

Joseph T. Wrabek
Member, Board of Directors
COLUMBIA GORGE UNITED

A COLUMBIA GORGE WHITE PAPER

by

COLUMBIA GORGE UNITED

Box 328
Stevenson, WA
98648

Box 384
Hood River, OR
97031

PEOPLE OPPOSING FEDERAL CONTROL

in cooperation with

GORGE DEFENSE LEAGUE
THE COMMITTEE TO PRESERVE PROPERTY RIGHTS
IN THE COLUMBIA RIVER GORGE
THE HARRY R. TRUMAN SOCIETY

APRIL 1983

THE CASE AGAINST A COLUMBIA GORGE 'NATIONAL SCENIC AREA'

The Columbia Gorge "National Scenic Area" legislation, which has been re-introduced this year (as S. 627/HR 1747) after failing to get Congressional action in 1982, places an approximately 480-sq. mi. area of 6 counties in Oregon and Washington, within boundaries yet to be drawn, with a population of 41,000 people, under U.S. Forest Service regulation and management. It authorizes the outright condemnation of up to 48 sq. mi. of privately-owned land, and allows the purchase of an unlimited amount of the remainder from willing sellers by the Secretary of Agriculture.

The legislation is not needed, and lacks support either by the population living within the proposed NSA or by any significant number of those outside. As the details of this legislation have become more widely known, it has been increasingly seen to be a counter-productive, economically devastating, and extremely expensive Federal boondoggle.

Public support for this legislation is lacking. Resolutions and position statements opposing Federal control of the Columbia Gorge have been enthusiastically supported by 56 governments and organizations inside and outside the Gorge, from the City of Cascade Locks (pop. 810) to the prestigious Washington State Grange (41,000 members). A memorial placing the Washington State Legislature on record opposing Federal control of the Gorge, introduced with statewide bi-partisan support, has already passed the State Senate by a 3-to-1 margin and awaits House action. A continuing series of polls and surveys since 1981--including an advisory ballot in Skamania County, WA--have found an astounding 94-97% of the population on both sides of the Gorge opposed to Federal management of the Gorge. An independent poll in October 1982 of a scientific sampling of the Portland metropolitan area population could find only 14% favoring Federal management of the Gorge.

The legislation is founded upon unsubstantiated claims of uncontrolled growth and development which are contradicted by actual facts of consistent population decline, abundant Gorge parks in both states which remain under-used, and a continual strengthening of regionally-coordinated land-use protection laws recognized as the strictest and most innovative in the nation. Those laws and regulations have proven effective, rely on cost-effectiveness and tax incentives, and are widely supported by the population. The NSA legislation actually creates another layer of government, and offers a vaguely-defined Federal Management Plan depending on Federally-funded large-scale land acquisition and punitive condemnation.

The NSA legislation is likely to devastate local tax bases, which are heavily dependent on timber severance taxes, direct and National Forest timber revenues as well as property taxes, in an area impacted by an existing Federal land presence averaging 50% Gorge-wide and over 90% in some areas. Local tax revenues from all sources are expected to decline as both the available privately-owned land base and the amount of timber yield decrease under the NSA. However, the legislation allows only property tax losses to be compensated--and those only in part, and at Secretarial discretion.

The evidence is clear that the "scenic" restrictions and land acquisitions authorized by the legislation would have a devastating effect on the local economy, substantially increasing the Gorge's current 33% unemployment rate, and ensuring permanent economic depression. Both direct and service-sector employment would be devastated.

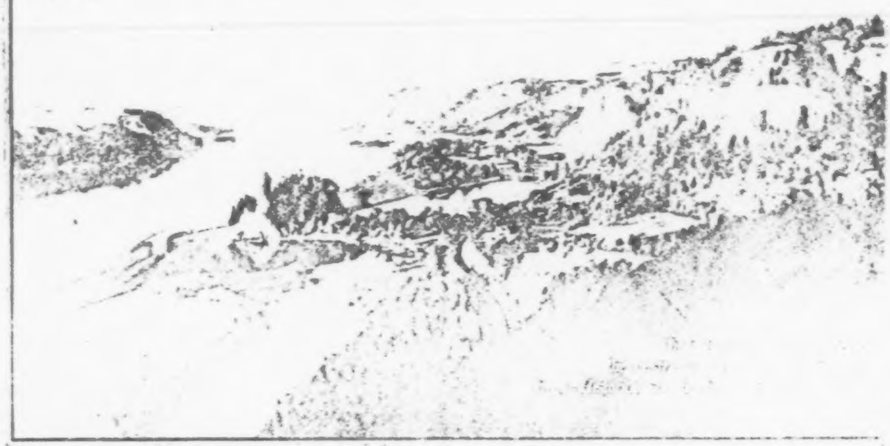
The legislation stands to be extremely costly. Land acquisition costs just of suggested "critical areas" have been estimated at $300 million--and this is only 20% of the land authorized to be acquired. All private land in the NSA boundaries may be purchased on a willing-seller basis. Adding costs of maintainance, additional personnel, payments in lieu of taxes, and any provisions ultimately implemented to offset the permanent elimination of jobs, the total cost could be well over $1 billion--making the Columbia Gorge the nation's most expensive Federally-managed park area. This would add to the already lengthy list of authorized but unpaid-for Federal land "takings".

These arguments are presented in some detail on the attached pages, with economic data, statements by local governments, associations, and media, and by the residents of the Gorge themselves, all asking that this legislation be defeated. We urge you to consider this information carefully and to act to prevent this "National Scenic Area" from becoming established.

Thank you.

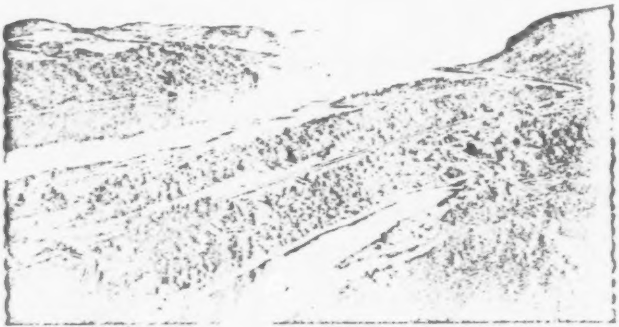
The GORGE: TWO PICTORIAL VIEWS

1925



1983

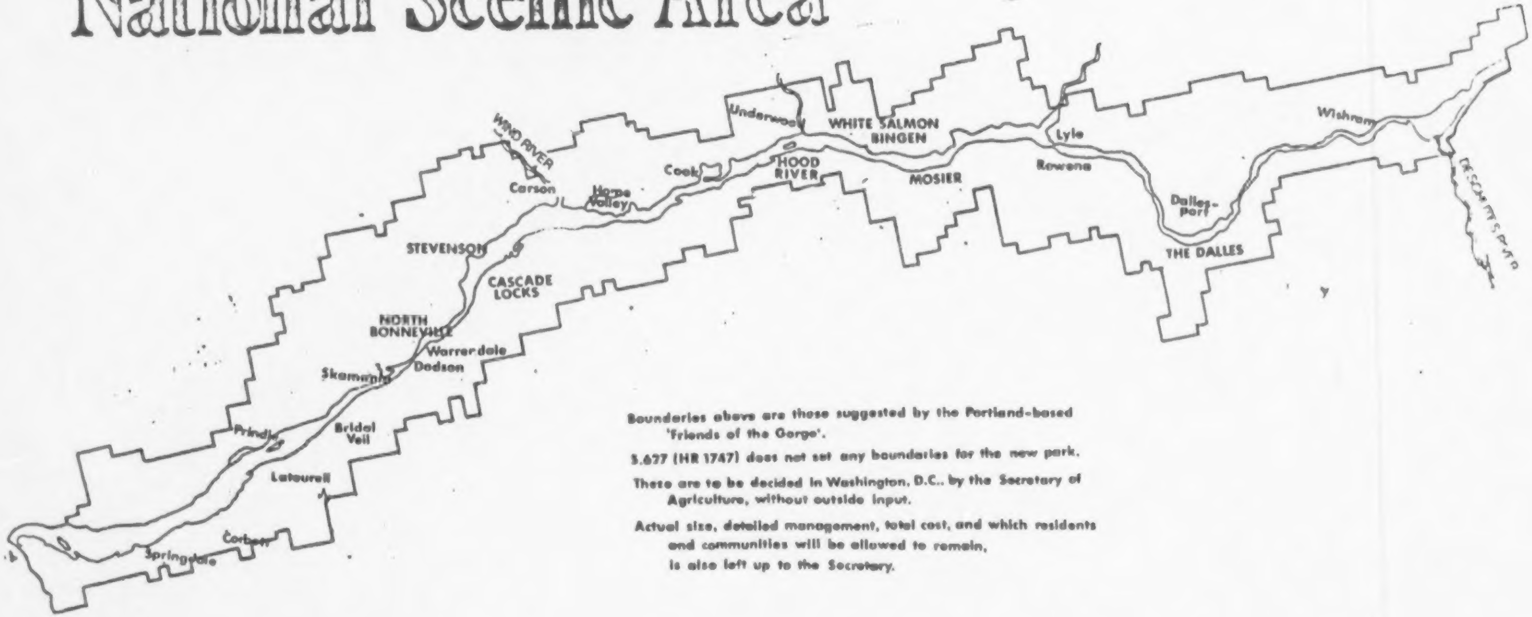
THE COMMUNITY OF LATOURELL (RIGHT OF RAIL LINE) STILL EXISTS – UNCHANGED – BUT IS NO LONGER VISIBLE BECAUSE OF TIMBER GROWTH. MAJOR LANDSCAPE ALTERATION SINCE 1925 IS THE 4-LANE FEDERAL INTERSTATE HIGHWAY THROUGH CENTER OF PHOTO BELOW.



Columbia River Gorge

PROPOSED

Columbia Gorge National Scenic Area


WIND RIVER
Underwood
WHITE SALMON
BINGEN
Lyle
Wishram
DESCHUTES RIVER
Carson
Home Valley
Cook
HOOD RIVER
MOSIER
Rowena
Dalles-port
THE DALLES
STEVENSON
CASCADE LOCKS
NORTH BONNEVILLE
Warrendale
Dodson
Skamania
Prindle
Bridal Veil
Latourell
Corbett
Springdale

Boundaries above are those suggested by the Portland-based 'Friends of the Gorge'.

S.627 (HR 1747) does not set any boundaries for the new park.

These are to be decided in Washington, D.C., by the Secretary of Agriculture, without outside input.

Actual size, detailed management, total cost, and which residents and communities will be allowed to remain, is also left up to the Secretary.

ECONOMIC ARGUMENTS AGAINST A COLUMBIA GORGE 'NATIONAL SCENIC AREA'

The Columbia Gorge has a population of 41,000. Yet the Gorge's industrial land base--nearly all of it located in the eastern 4 counties--provides employment for a population of 65,000 people, 14,000 living outside the Gorge itself.[1] 60% of those jobs are "primary resource processing"--fruit packing and canning houses, grain elevators, lumber and plywood mills.[2]

In addition, Crown Zellerbach Corp., whose Camas, WA, pulp mill with 2,000 employees is the largest employer in Clark County, is dependent upon 10 Columbia Gorge mills for one-half of the supply of wood chips and residual material from which their paper is made. Twelve large companies (including Crown Zellerbach) based outside the Gorge depend in part on their Gorge landholdings for a source of logs.[3] Several dozen Gorge-based wood-products concerns, all family- or worker-owned operations, are partially to totally dependent upon the private and public forestland base in the Gorge.

Though public forest land acres outnumber private commercial forest land acres 2 to 1, 41% of the Gorge's annual timber yield of 35.4 million board feet comes from privately-owned land.[4] This is because National Forest land in the Gorge (generally the most visible) is largely managed for scenic rather than multiple use. However, it is privately-owned land that will be most impacted by establishment of the "National Scenic Area", and its attendant land acquisitons and regulations.

The Columbia Gorge currently suffers from 33% unemployment, primarily traceable to the devastation of the housing market nationwide. (This figure does not include expired unemployment claims, the loss of self-employment jobs, or the reduction of many full-time workers to part-time status. Actual out-of-work figures have been estimated at over 40%.) While the impact of the nation's economic problems on the Gorge's heavily resource-dependent economy is severe, this situation would be likely to improve as a national recovery develops, provided the management of the Gorge does not change.

Businesses, unions, and governments alike have expressed serious concern that the enactment of the "National Scenic Area" legislation will not only preclude any economic recovery in the Gorge, but will actually eliminate many of the jobs which still remain at the present time:

- The legislation directs the Forest Service to draft, implement and enforce a Management Plan for the Gorge, including directives for "compatible" uses of private land consistent with "scenic preservation". The application to private forest lands of present "visual management" regulations in effect on USFS land could reduce the annual yield from private forest land in the Gorge by as much as 50%, resulting in a 20% reduction from present levels in direct forest-industry employment.[5] If any mills were rendered unprofitable and forced to close permanently as a result, job loss figures could be even higher.

- The legislation authorizes the Secretary of Agriculture, in the course of drawing the park boundaries, to administratively designate any private lands as "critical areas" to be acquired immediately by the Forest Service, by condemnation if necessary. The "Friends of the Gorge" have lobbied for a number of developed industrial sites and entire existing communities to be declared "critical lands".[6] All remaining land inside the park boundaries is to be considered for designation as "critical land" in the preparation of the Management Plan, placing non-Federal land under restrictions against "any change in use or maintainance" until the Management Plan is finished. The actual job loss will depend on which lands, and how much land, is designated "critical".

- The "Friends of the Gorge" have also pointed to specific businesses and industries inside the Gorge's 8 "exempted" towns (13 other towns are not recognized to exist) as land uses which must be eliminated as "non-scenic". While these 8 incorporated cities are not to be part of the park, establishment of the park around them makes them "inholdings" subject to purchase or condemnation under existing Federal law. The Mt. Hood National Forest has pursued an aggressive policy of acquiring inholdings since 1978.[7]

- National preservation groups have proposed the outright prohibition of all timber harvesting activities in the Gorge.[8] The legislation authorizes such a moratorium to be imposed at the discretion of the Secretary of Agriculture until the Management Plan is completed. This could result in the layoffs of up to 50% of the remaining workforce in the Gorge, as local logging and lumber firms were forced to cease operations. Additional layoffs would occur outside the Gorge, to the extent that mills dependent on Columbia Gorge logs and residual material were unable to find replacement supplies elsewhere. How many of these jobs would be restored later would be dependent upon the details of the Management Plan and the time required to complete it.

- Each direct industry job, whether it be canning, packing, growing, logging, driving, lumber mill or management employment, is responsible for generating 2 other jobs in the "service sector" of the economy. These jobs are primarily in the Gorge's 8 "exempted" and 13 "forgotten" towns, and include but are not limited to supermarkets, hardware, tool and feed supply, doctors, dentists, hospitals, banks, and electric, gas, and telephone utilities. These businesses are severely impacted both as direct industry jobs are eliminated and as land is acquired, forcing area residents to locate elsewhere to find new places to work or new places to live. Most of these service concerns have already been hard-hit by the current recession, and cannot survive further reductions in their customer base. Their closings will add to the unemployment and welfare rolls, and to the population exodus.[9] Their closings would also eliminate most of the commercial facilities currently used by summer tourists, and which tourists would be expected to patronize in the future.

The loss of significantly more jobs in an area which is already economically hard-hit would place a social services burden upon local and state governments which could not be adequately or equitably handled without large-scale Federal intervention in the form of direct compensatory income-maintainance payments to "scenically" displaced workers, as was done in Redwoods National Park. Those payments could add some $14 million annually to the "National Scenic Area" budget.[10] Those payments would have to continue indefinitely, as the loss of jobs would be permanent.

In Redwoods National Park, expectations of additional future employment opportunities through reforestation and increased tourism have not materialized, leaving the affected California counties with unemployment rates permanently in the 20% range, and presaging disastrous consequences when the income-maintainance program expires in 1984. Unfortunately, the Gorge, unlike the Redwoods, does not even offer the hope that replacement employment will exist in the future if the "National Scenic Area" is established, because:

- Extensive land reforestation and rehabilitation has already been ongoing in the Gorge for some decades, as private forest land owners and companies have endeavored to offset the reduced availability of National Forest timber.[11] This has in the main been successful, resulting in more timber being available from less land with less visual impact than 50 years ago. In fact, the number of these jobs is likely to decline with NSA enactment, to the extent that timber harvesting is reduced.

- The potential for increased tourism employment is limited by the proximity of the Portland-Vancouver metropolitan area.[12] The drain-off of most tourism dollars from Gorge visitation is expected to accelerate with establishment of the NSA as existing Columbia Gorge businesses serving tourists are closed or Federally acquired.

- While Portland developers (many of them members of "Friends of the Gorge") have proposed large-scale resort developments in the Gorge to handle visitors as existing facilities become closed, the construction and service personnel will be drawn in large part from their existing Portland metropolitan area employees and will add little to local payrolls.[13]

To date, arguments in favor of creation of the Columbia Gorge "National Scenic Area" have relied largely on emotional appeals. Claims of any economic benefit have been unsubstantiated or even absent. A thorough economic and social impact study and cost/benefit analysis has not been done, and needs to be done before this legislation moves further. Provisions for such studies have been lacking in other recently-established Federal parks, and this has resulted in case after case in large cost over-runs, in which the often-mentioned Cuyahoga Valley NRA (100% over budget), Redwoods National Park (300% over budget), and Santa Monica Mountains NRA (over 800% over budget) appear to be the rule rather than the exception.[14] A firm accounting of the total costs needs to be done before committing the overextended Federal treasury and the limited resources of the Land & Water Conservation Fund to the bill for what could well be the nation's most expensive Federally-managed park area.

FOOTNOTES:

1. Mid-Columbia Marketing, "Labor Force", 1983.

2. National Park Service Study of Alternatives, 1979.

3. Industrial Forestry Association survey, 1979 (revised 1982).

4. Ibid., 1982.

5. IFA Economic Multipliers, 1979 (revised 1983).

6. Lyle Community Council, Testimony delivered at Senate Energy & Natural Resources Committee hearing on S. 627, March 25,1983.

7. National Parks Service Study of Alternatives, 1979. (The Columbia Gorge Composite, an internal document of Mt. Hood Natl. Forest, states, "All private land in the area shall be acquired.")

8. Various organizations, Testimony delivered at Senate Energy & Natural Resources Committee hearing on S. 627, March 25, 1983.

9. IFA Economic Multipliers, 1979 (revised 1983); Cascade Locks City Planning Commission, Suggestions for City Testimony at Sept. 10, 1982, hearing on Gorge legislation (hearing cancelled).

10. Based on IFA survey, 1979, and IFA Economic Multipliers, 1979 (revised 1983).

11. Oral testimony of Jack Brown, Crown Zellerbach Corp., delivered at Senate Energy & Natural Resources Committee hearing on S. 627, March 25, 1983; written testimony of private landowners Marvin & Lois Jemtegaard, Washougal, WA, prepared for same hearing.

12. Archisystems (Summa Corp.), Resort Development Potential in the Columbia River Gorge, 1971. Still considered the "definitive work" on Gorge tourism.

13. Mt. Hood Meadows, testimony to Hood River Co. Planning Commission on proposed new development, 1982.

14. U.S. General Accounting Office, "The Federal Drive to Acquire Private Land Should Be Re-Assessed", 1979; "Federal Acquisition and Management Practices", 1981. Over-budget figures from Forest Industries magazine and National Inholders Assn., 1982.

April 1983

Joseph T. Wrabek
Cascade Locks, Oregon

PUBLIC & PRIVATELY-OWNED COMMERCIAL FOREST* ACREAGE & ESTIMATED TIMBER YIELD in the proposed Columbia Gorge 'National Scenic Area'

	Total Acres Owned	Commerical Forest Land	Estimated Annual Yield
OREGON			
Multnomah Co.			
PRIVATE	1,962	1,962	1,800,000 BF
PUBLIC	21,600	20,300	8,000,000 BF
Hood River Co.			
PRIVATE	3,964	3,352	900,000 BF
PUBLIC	26,600	24,800	8,000,000 BF
Wasco Co.			
PRIVATE	560	560	100,000 BF
PUBLIC	0	0	0
TOTAL OREGON (Private & Public)	54,696	50,974	18,800,000 BF
WASHINGTON			
Clark Co.			
PRIVATE	1,398	0	0
PUBLIC	0	0	0
Skamania Co.			
PRIVATE	27,371	17,838	11,100,000 BF
PUBLIC	12,140	7,600	4,900,000 BF
Klickitat Co.			
PRIVATE	1,865	1,425	600,000 BF
PUBLIC	0	0	0
TOTAL WASHINGTON (Private & Public)	42,774	26,863	16,600,000 BF
PRIVATE LAND			
Washington	30,634	19,263	11,700,000 BF
Oregon	6,496	5,874	2,800,000 BF
TOTAL	37,130	25,137	14,500,000 BF
PUBLIC LAND			
Washington	12,140	7,600	4,900,000 BF
Oregon	48,200	45,100	16,000,000 BF
	60,340	52,700	20,900,000 BF
GRAND TOTAL	97,470	77,837	35,400,000 BF

*Source: IFA Survey, 1981. Figures are totals from 12 responding companies only, and do not include other commercial forest holdings—typically family operations—which together add more than 10,000 acres to this total.

ESTIMATED TIMBER YIELD, DIRECT INDUSTRY EMPLOYMENT & PAYROLLS GENERATED BY PUBLIC (60,340 Ac.) & PRIVATE INDUSTRY (37,130 Ac.)* FOREST LAND in the proposed Columbia Gorge 'National Scenic Area'

	Estimated Annual Yield	Direct Industry Employment	Annual Payroll
OREGON			
Multnomah Co.			
PRIVATE	1,800,000 BF	16	$ 226,800
PUBLIC	8,000,000 BF	72	1,008,000
Hood River Co.			
PRIVATE	900,000 BF	8	907,200
PUBLIC	8,000,000 BF	72	1,008,000
Wasco Co.			
PRIVATE	100,000 BF	1	100,800
PUBLIC	0	0	0
TOTAL OREGON (Private & Public)	18,800,000 BF	169	$ 3,250,800
WASHINGTON			
Clark Co.			
PRIVATE	0	0	0
PUBLIC	0	0	0
Skamania Co.			
PRIVATE	11,100,000 BF	113	$ 1,809,300
PUBLIC	4,900,000 BF	50	798,700
Klickitat Co.			
PRIVATE	600,000 BF	6	97,800
PUBLIC	0	0	0
TOTAL WASHINGTON (Private & Public)	16,600,000 BF	169	$ 2,705,800
PRIVATE LAND			
Washington	11,700,000 BF	119	$ 1,906,800
Oregon	2,800,000 BF	25	1,234,800
TOTAL	14,500,000 BF	144	$ 3,141,600
PUBLIC LAND			
Washington	4,900,000 BF	50	$ 798,700
Oregon	16,000,000 BF	144	2,016,000
TOTAL	20,900,000 BF	194	$ 3,014,700
GRAND TOTALS	35,400,000 BF	338	$ 5,956,000

*Source: IFA Survey, 1981. Figures are totals from 12 responding companies only, and do not include other commercial forest holdings—typically family operations—which together add more than 10,000 acres to this total.

PUBLIC, PRIVATE, & DESIGNATED USE
ACREAGE
IN THE PROPOSED COLUMBIA GORGE 'NATIONAL SCENIC AREA'

	OREGON	WASHINGTON	TOTAL
ACREAGE INSIDE NSA BOUNDARY*	141,910	168,090	310,000
DESIGNATED USES			
1. Power Line & Gas R/W	870	4,412	5,282
2. Incorporated Cities	5,473	770	6,243
3. I-80, SH14, Scenic Hiway	4,190	1,243	5,433
4. State Parks	3,995	5,394	9,389
5. Columbia River Acres	26,000	26,115	52,115
6. Railroad R/W	1,014	1,055	2,069
7. Public Lands	51,333	14,736	66,069
8. County Roads	690	695	1,385
SUBTOTAL	93,565	54,420	147,985
Undesignated Private Acres 1/	48,345	113,670	162,015
Condemnation Acres Cap 10% 2/	4,835	11,367	16,202
Legislatively Identified Critical Acres*	9,750	21,050	30,800
Excess Acres over 10% in Critical Area	4,915	9,683	14,598

Background Information on above 8 points:

1. Surveyed from maps using company R/W documents for width - IFA
2. From cities of Cascade Locks, Hood River, The Dalles, Bingen, White Salmon & Stevenson
3. State of Oregon and Washington Highway Dept. Does not include surplus or excess lands they also own.
4. State of Oregon and Washington Park Departments.
5. Measured from orthophotos - IFA
6. Estimates from BN and UP railroads.
7. USFS, BLM, Hood River County, DNR, Corps of Engineers. Response to IFA questionnair
8. IFA map survey.

1/ Basically private lands.

2/ 10% condemnation cap shown is based on private acres only. Under S.627 and H.R.1747 the total cap on condemnation acres is 31,000 or the same as the identified critical area.

Source: Industrial Forestry Association
Portland, Oregon
August, 1982

ASSESSED VALUATION OF SUGGESTED 'CRITICAL LANDS' IN THE PROPOSED COLUMBIA GORGE 'NATIONAL SCENIC AREA'

Washington State	"CRITICAL AREAS" (in acres)*	LAND & IMPROVEMENTS	TIMBER	TOTAL
Clark[1]	2,188	$ 5,262,000	-	$ 5,262,000
Skamania	16,963	41,068,000	$33,390,000	74,458,000
Klickatat	3,738	2,330,000	-	2,330,000
SUBTOTAL	22,889 acres	$48,660,000	$33,390,000	$82,050,000
Oregon State				
Multnomah	3,531	$10,162,000	$ 1,516,000	$11,678,000
Hood River	1,535	868,000	284,000	1,152,000
Wasco	2,622	3,145,000	-	3,145,000
SUBTOTAL	7,688 acres	$14,175,000	$ 1,800,000	$15,975,000
TOTALS	30,577 acres	$62,835,000	$ 35,190,000	$98,025,000

***AS SUGGESTED BY 'FRIENDS OF THE GORGE'.
ACTUAL DETERMINATION IS BY SECRETARY.**

[1] Includes 18.1 acres of City of Washougal

Source: Industrial Forestry Association in cooperation with Washington Forest Protection Association, Associated Oregon Industries and participating industrial forest landowners.

August, 1982

Opposition TO FEDERAL CONTROL OF THE COLUMBIA GORGE

THE FOLLOWING GOVERNMENTS AND ORGANIZATIONS HAVE GONE ON RECORD OPPOSING FEDERAL CONTROL OF THE COLUMBIA RIVER GORGE AS OF APRIL 10, 1983:

American Association of Retired Persons, Skamania County (Washington) Chapter
American Legion #137 (Stevenson and Carson, Washington)
Associated Oregon Counties
City of Bingen, Washington
City of Camas, Washington
City of Cascade Locks, Oregon
City of North Bonneville, Washington
City of Stevenson, Washington
City of Washougal, Washington
City of White Salmon, Washington
Clark County (Washington) GOP
Clark County (Washington) Homebuilders Association
Columbia Gorge United (Oregon and Washington)
The Committee to Preserve Property Rights in the Columbia River Gorge (Oregon and Washington)
Community Council of Home Valley, Washington
Community Council of Lyle, Washington
Crown Zellerbach Corporation
The Gorge Defense League
The Harry R. Truman Society
Home Valley (Washington) Water District
Industrial Forestry Association
Frank Lumber Company
Golden Wood Products (Goldendale, Washington)
Klickitat County, Washington
Klickitat County Port District
Lang Brothers, Inc. (Vancouver, Washington)
Louisiana-Pacific Corporation
Mid-Columbia Board of Realtors (Oregon and Washington)
Mid-Columbia Economic Development District
Mid-Columbia Marketing & Columbia Gorge Visitors Assn. (Oregon and Washington)
National Inholders Association
Oregon Society of American Foresters
Oregon State Grange (and member Granges)
Pacific Northwest 4-Wheel Drive Association
Pacific Northwest Waterways Association
Port of Cascade Locks, Oregon
Port of Skamania County, Washington
Port of The Dalles, Oregon
Rossiter Glen, Inc. (Vancouver, Washington)
Rowena (Oregon) Women's Club
Skamania County, Washington
Skamania County PUD #1
Skamania County Taxpayers' Association
Stevenson (Washington) Business Association
Stevenson Co-Ply, Inc.
Tri-County Citizens for Fair Land Planning (Portland, Oregon)
Vancouver/Clark County (Washington) Board of Realtors

Washington Association of Realtors
Washington Forest Protection Association
Washington State Grange (and member Granges)
Washington State Senate
Washington Public Ports Association
Washington State GOP
Washington Women in Timber
Worker-Owner Plywood Association (Oregon and Washington)
Willard (Washington) Women's Club

PUBLIC OPINION

SKAMANIA CO., WA.: Advisory Ballot, Nov. 1981 election —
3% FOR Fed. control; 94% AGAINST.
(REMAINING 3% FAVORED BI-STATE COMPACT.)

CASCADE LOCKS, OR.: Survey in Oct. 1982 by City Light Dept. asked all its customers in a 22-mi. service area in 2 counties—
1.6% FOR a Fed. role in Gorge mgmt.; 96.8% AGAINST.

PORTLAND, OR.: Independent poll Oct. 1982 by Moore Information, Inc., of a scientific sample of Metro-area residents—
14% FOR Fed. mgmt.; 65% AGAINST.

DETAILS OF MOORE POLL:

The protection and preservation of the Columbia Gorge has been a subject of controversy for years. Several Northwest members of Congress have recently introduced Gorge protection legislation.

This month M.O.S.T. asked residents of the Portland Metropolitan area who they felt was best qualified to protect the Gorge.

Women are more likely to believe the State would do the best job protecting the Gorge.

Men are more likely to favor management by the Federal Government than women.

Respondents earning in excess of $25,000 a year are more likely to favor management by private landowners.

"Which do you think would be best to protect the Gorge, management by;

the Federal government,	14%
State governments,	44%
local governments, or	11%
private land owner?	10%
Combinations	4%
Not sure	17%

A majority does not favor management of the Gorge by the Federal Government.

Monthly Oregon Survey Trends 5

About
COLUMBIA GORGE UNITED

In September 1982, representatives from the Gorge Defense League, The Committee to Preserve Property Rights in the Columbia River Gorge, the Oregon State Grange, Washington Association of Realtors, Skamania County Taxpayers Association, Industrial Forestry Association, and Worker-Owner Plywood Association initiated a series of discussions intended to foster closer communication among their various organizations, all opposed to legislation imposing Federal control over non-Federal land in the Columbia Gorge. Those discussions quickly involved other individuals and organizations, and developed into the coalition known as COLUMBIA GORGE UNITED: People Opposing Federal Control.

COLUMBIA GORGE UNITED's purpose is six-fold:

1. To establish a central organization for protecting the people of the Gorge from Federal control.
2. To coordinate a united effort.
3. To produce a solid lobbying effort.
4. To organize a state and Federal movement.
5. To educate the public about the Gorge and how the issue affects them.
6. To allow the citizens of the Gorge to do what they decide is best for them without Federal pressure.

CGU's elected Board of Directors includes resident landowners from each of the 6 Gorge counties, as well as small business, consumer, agriculture and natural resource interests, and representatives from the Portland-Vancouver metropolitan area. CGU is a membership organization supported entirely by regular dues and contributions.

COLUMBIA GORGE UNITED has grown since its inception to a coalition of over 300 individuals and organizations, involving government leaders, employers, employees, farming, industry, timber, trade and tourism interests, and both major political parties. Its membership cuts across state, county and party lines. Its headquarters in Stevenson, WA, and field offices in Hood River, OR, Vancouver, WA, and Portland , OR, provide coordinated technical and information services to its membership, the Gorge and metropolitan public.

April 1983

Community

Paul Macomber, City Editor, 474-3716

Gorge Residents Say They're Ignored in 'Land Grab'

By PAUL FATTIG
Of the Courier Staff

John Fisher and Joe Wrabek are fighting mad

And they believe other Oregonians, indeed people throughout the nation, should be up in arms over what they call federal land grabs

"We want people to complain to high heavens at what is an abuse of the Democratic process," Wrabek said "It is not right for the government to be invading and colonizing it's own people. There needs to be substantial public [illegible] to tell these guys they cannot doing these things."

Fisher is chairman of The Committee To Preserve Property Rights in the Columbia River Gorge; Wrabek is the committee's vice-chairman. The committee includes individuals from 96 communities throughout Oregon and Washington.

Both are property owners in the Cascade Lock area of the Columbia River Gorge. Fisher owns 80 acres and Wrabek four acres of land that may be swallowed up by a bill to create a national scenic area in the gorge.

But they warn that the federal government attempt to take control of their lands to create a national scenic area is but a microcosm of what is occurring nationwide

Property owners of private land along the Illinois, Rogue, Deschutes and other picturesque rivers throughout Oregon are potential victims of this action, they warn.

"The thing is, the federal government has been acquiring property at three-quarters of a million acres a year for the last 15 years," Fisher said.

And he says past acquisition of private property along the Rogue may be just the beginning. "These things are like a cancer — they expand outwards," Fisher said.

The two are touring Southern Oregon to sound the alarm. The gorge legislation alone calls for 400 square miles and 11,000 people to be included in the scenic area which would fall under the jurisdiction of the federal government.

"What we are trying to do is prevent legislation to establish a national scenic area," Fisher said, "to justify federal acquisition of land, restriction of individual civil rights and the takeover of local government functions by the (U.S.) Forest Service."

Sen. Bob Packwood, R-Oregon, is one of the authors of legislation supporting the action. Hearings are being held in Hood River today.

"We feel that if this legislation is passed, it will set the precedent that any place, simply because it is pretty, can be taken by the government," Fisher said.

"And just because a place is beautiful, just because the people kept it that way, it shouldn't be a reason for taking it from them," he said.

Proponents of the legislation, The Friends of the Columbia Gorge, lobbied Packwood to introduce the bill which failed last year, but is being introduced again this year, Fisher said.

The hearings are a sham, Fisher said, noting that property owners, and local school districts and chambers of commerces aren't being allowed to participate in the hearings

"The hearings are dominated by environmental special interest groups — the Sierra Club, the Audubon Society," Fisher said

"These are supposed to be public hearings, but they are designed to produce the results that Senator Packwood wants to justify his legislation," Wrabek added

Fisher is a laborer in a small lumber firm at Cascade Locks; Wrabek is a self-employed artist and musician and a member of the Cascade Locks city council.

"We represent a cross-section of the local area which is universally against this legislation," Wrabek noted "We are not being listened to, we are not being consulted."

They note that a county-wide advisory ballot two years ago resulted in 91 percent of the voters stating they wanted to retain local control.

Says Wrabek, "We want to control our own destiny, rather than become a federal colony."

FACTS about the 'Partnership' in the proposed Columbia Gorge 'National Scenic Area'

This is how the roles of each 'partner' are laid out in S.627 and H.R.1747:

The SECRETARY OF AGRICULTURE

The Secretary of Agriculture, or whomever he appoints to act in his name, is to exercise the following authority, relying solely on his own discretion and without public interference or comment:

1. To determine the boundaries of the 'National Scenic Area'.
2. To change the boundaries at any time.
3. To appoint the 'interdisciplinary planning team' that draws up the Management Plan.
4. To adopt the Management Plan with or without the approval of the Regional Commission.
5. To appoint 3 voting members of the Regional Commission.
6. To appoint any member or members of the Regional Commission to represent any state or county which does not appoint a representative 'in timely fashion', and to continue to appoint the representatives to those additional positions in the future.
7. To designate any property 'critical land' in the process of drawing the park boundaries.
8. To promulgate 'interim standards and guidelines governing all land use activities' inside the park boundaries and to enforce those until the Management Plan is adopted.
9. To amend the 'interim standards and guidelines' to any extent at any time prior to adoption of the Management Plan.
10. To enforce the prohibition of any construction, remodeling or rebuilding of any structure on 'critical land'.
11. To force the denial of any application for flood insurance, direct Federal loan, Federal loan guarantee, Federal grant, Federal assistance, or other direct or indirect Federal financial or technical aid to any individual or governmental unit inside the park boundaries.
12. To 'monitor all land use activities' prior to the adoption of the Management Plan; to sit as a matter of right on all local giverning bodies and planning commissions prior to the adoption of the Management Plan, and advise them what is and is not 'consistent with the interim standards and guidelines'.
13. To determine, prior to the adoption of the Management Plan, what activities will damage 'values' of the park or 'detract from ... visual quality', and enforce the prohibition of those activities.
14. To enforce the 'interim standards and guidelines', the Management Plan when adopted, and other Forest Service regulations, by civil or criminal suit in Federal court and/or by condemnation or threat of condemnation of the offender's property.
15. To determine whether a local or state government has, in modifying its comprehensive plan and land-use ordinances to conform to the Management Plan, in hiring additional planning and enforcement staff, and in budgeting additional money for planning and enforcement, demonstrated sufficient 'capability' to be allowed to enforce the Management Plan and regulations on its own.
16. To withdraw any authority granted to local or state government to enforce the Management Plan and regulations, at any time.
17. To decide what non-Federal property inside the park boundaries is 'needed' for Federal purposes.
18. To acquire any 'needed' property 'by donation, purchase, ... or otherwise'.
19. To condemn any property designated as 'critical'.
20. To condemn any residential, farming or grazing property whose 'use or maintainance' is 'substantially changed', and to determine what constitutes 'substantial change'.
21. To condemn any property which he is authorized to acquire under the clauses above which the owner refuses to sell.
22. To purchase any real property inside the park boundaries which anyone wants to sell.
23. To exchange any Federal property outside the park boundaries for any state-owned property inside the boundaries.
24. To sell any acquired land to the highest bidder at any time.
25. To spend whatever is necessary for the acquisition of land.
26. To accept donations of money, services, and property for the purposes of acquiring land.
27. To continue acquiring land for the park 'without fiscal year limitation'.
28. To change state hunting and fishing regulations inside the park boundaries in any way at any time.

The REGIONAL COMMISSION

The Regional Commission is allowed to exercise the following authority:

1. To meet at least once every 3 months.
2. To decide whether it is 'practicable' to hold any meeting in the 6-county area.
3. To elect its own presiding officer (who may not be re-elected).
4. To meet at any time and place it likes, and to take such testimony or evidence as it desires.
5. To 'advise' the Chief of the Forest Service in the preparation of the Management Plan.
6. To approve or disapprove the Management Plan before its adoption (irrespective of commission approval or disapproval) by the Secretary of Agriculture.
7. To hold 'public meetings' to 'inform' the public of what the 'interdisciplinary planning team' has been doing in its preparation of the Management Plan, and to hold these anywhere in the country it desires.
8. To monitor the 'consistency' with which other Federal agencies and any local or state governments which are ultimately allowed to do so, enforce the Management Plan.
9. To recommend to the Secretary or his designee lands for condemnation.
10. To comment on development proposals by other Federal agencies to the heads of those agencies.
11. To issue an annual report for transmittal to the state governors.

COUNTY and STATE GOVERNMENTS

County and State governments are allowed to exercise the following authority:

1. To exercise civil and criminal jurisdiction within their boundaries, to the extent that jursidiction is not transferred to the Secretary of Agriculture by the legislation.
2. To tax persons and any non-Federal property remaining inside the park boundaries.
3. To modify their existing comprehensive plans and land-use ordinances, or adopt new ones, to conform to the Management Plan when this is adopted; to hire additional planning and enforcement staff and budget additional planning and enfrocement money, and to appeal to the Secretary or his designee for the (revocable) approval to themselves enforce the Management Plan.
4. To adopt comprehensive plans and ordinances which are stricter than the Federal Forest Service guidelines.
5. County commissions are additionally allowed to appoint one representative each to the Regional Commission. State legislatures do not have that authority, which is vested by the legislation in the states' governors.

Comments

The proposed 'National Scenic Area' bill has been repeatedly described by its sponsors and by the 'Friends of the Gorge' as creating a 'partnership between Federal, state and local governments' to manage and protect the Gorge.

It is obvious that no partnership of any kind is intended. What the legislation does is transfer authority out of the hands of elected local and state governments and into those of appointees of the Secretary of Agriculture in Washington, D.C., who is to have sole and total authority over the property and personal liberties of an unspecified number of people within an unspecified area whose size, detailed administration, and cost he alone is to determine.

To call this a 'partnership' is deliberately misleading. The only mention of any 'partnership' in the bill (Sec. 2) refers to a partnership to enforce the Federal legislation. State and local governments are to be tools to be used by the Secretary in running the park.

If this legislation passes, it will set a precedent for the 'preservation of scenery for future generations' as a public purpose justifying the condemnation of private property, the restriction of civil rights, and the takeover by a Federal agency of both the authority and functions of elected local and state government—and allow this to be done anywhere in the future, on no more than the unsubstantiated claims of some group somewhere that an area is 'threatened by future development'. This affects everyone and should be cause for alarm.

Congress is seriously considering passing this legislation. PLEASE CONTACT YOUR SENATORS AND CONGRESSMEN, and insist they oppose this 'Columbia Gorge National Scenic Area'. Please ask your friends, relatives and neighbors to do the same. This takeover of people's rights, property and elected government can only be defeated if our Senators and Congressmen become convinced it is political suicide to support it. They need to hear from everyone possible.

Help stop a bad law.

The Committee To Preserve Property Rights in the Columbia River Gorge

140R Oklahoma Rd.
Cook. WA 98605

Box 548
Cascade Locks. OR 97014

JOHN FISHER
CHAIRMAN
(509) 538-2745

JOE WRABEK
VICE-CHAIRMAN
(503) 374-8565

Senator HATFIELD. Ms. Garwood.

STATEMENT OF GENEVIEVE GARWOOD, STEVENSON CO-PLY, INC., AND COLUMBIA GORGE UNITED

Ms. GARWOOD. Senator Hatfield, my name is Genevieve Garwood, and I am here in behalf of Stevenson Co-Ply, a worker-owned plywood manufacturing plant located at Stevenson, Wash., which is in the heart of the identified critical area that is referred to in S. 627 introduced this month to establish a National Scenic Area in the Columbia Gorge. I am a member stockholder, corporate secretary, and a director at Stevenson Co-Ply, Inc.

I am also representing Columbia Gorge United, People Opposing Federal Control. This group is representative of people in all of the gorge, and many members living outside the gorge area.

We continually hear from a well-financed group of pro-Federal control who are crying "Save the Gorge from the developers." I am truly amazed that any elected official would or could endorse this type of legislation that usurps the authority of the official offices and laws that are in place, and the majority of these have been in place for the last 200 years.

The question we have been asking, and no one has answered as of this date, is why. Also, how can there be any legal basis in law to ownership of a view of scene unless the person owns the property containing the scenic view? Any view of scene looked upon by a person may or may not be viewed by another as to its scenic qualities or values. The ultimate solution to scenic protection is in its purchase. If a person or person wants to own a piece of scenery, then let that person or persons buy the scene.

Purchasing of scenery should never be done by condemnation or by general tax funds. Using general tax funds allows a few to control and to deny certain private uses without paying for such rights.

We're not talking about unlimited pollution or other direct and harmful intrusions upon other people. All of these can and are being handled with existing laws. We are talking about differing opinions as to a person's right to own property and have the freedom to use that property as they see fit under existing, well-regulated, land use laws. To take away these rights is not the American way.

The Columbia Gorge is in an area that has the variety, both natural and man-made, to satisfy the needs of economic activities such as utilities, timber, fisheries, food products, to name a few; and, it is also a great transportation corridor for the railroads, water traffic, and State and interstate highways that benefits all of the Pacific Northwest. All of these varieties are possible by the very existence of the people who live and work in the gorge. Over 41,000 call the gorge their home.

Stevenson Co-Ply, Inc., is owned and operated by the people living in the gorge area and areas adjacent to the gorge. This bill, if passed, would be a threat to these people's heritage, lifestyle, and possible extinction of generations living in the same area as their forefathers. This gorge has been occupied for hundreds of years and is more beautiful and protected today because of the people living there.

You will receive today from other people and organizations information that will confirm my statements. The packet you are receiving from us today includes the voices of many people and organizations opposing a National Scenic Area of the Columbia Gorge, and I am requesting that all of the material be placed into this Senate record.

I do want to take one further step aside from my printed testimony to give a quote that I've taken from a very close friend of mine:

> Beware of any government today that wants to protect us by slyly acquiring that which we already own. A society becomes a socialism through the subtle takeover by friends.

Thank you.

[Applause.]

Senator HATFIELD. The material that you have requested be put in the record will be accepted for the record.

Ms. GARWOOD. Thank you.

[The prepared statement of Ms. Garwood, and related material, follow:]

Telephone: 427-5621 - 427-5622
Area Code 509

ˈTEVENSON CO-PLY, INC.
MANUFACTURERS OF DOUGLAS FIR PLYWOOD

PLANT & SALES OFFICE

P.O. Box F Stevenson, Washington

SENATE HEARING
SENATE BILL #627
MARCH 25, 1983
BPA BUILDING, PORTLAND, OREGON

SENATOR HATFIELD:

My name is Genevieve Garwood and I am here in behalf of Stevenson Co-Ply, Inc., a worker-owned plywood manufacturing plant, located at Stevenson, Washington, which is in the heart of the identified critical area that is referred to in the Senate Bill #627, introduced this month to establish a National Scenic Area in the Columbia Gorge. I am a member stockholder, corporate secretary and a director at Stevenson Co-Ply, Inc.

I am also representing. COLUMBIA GORGE UNITED, PEOPLE OPPOSING FEDERAL CONTROL. This group is represenative of people in all of the Gorge and many members living outside the Gorge area.

We continually hear from a well-financed group of pro-federal control who are crying "Save the Gorge from the developers". I am truly amazed that any elected official would or could endorse this type of legislation that usurps the authority of the official offices and laws that are in place and the majority of these have been in place for the last two hundred years.

The question we have been asking and no one has answered as of this day is; WHY? Also how can there be any legal basis in law to ownership of a view or scene unless the person owns the property containing the scenic view? Any view or scene looked upon by a person may or may not be viewed by another as to its' scenic qualities or values. The ultimate solution to scenic protection is in its purchase. If a person or persons wants to own a piece of scenery then let that person or persons

Telephone: 427-5621--427-5622
Area Code 509

STEVENSON CO-PLY, INC.
MANUFACTURERS OF DOUGLAS FIR PLYWOOD

PLANT & SALES OFFICE

P.O. Box F Stevenson, Washington

-2-
SENATE HEARING
MARCH 25, 1983

buy the same. PURCHASING OF SCENERY SHOULD NEVER BE DONE BY CONDEMNATION OR BY GENERAL TAX FUNDS. Using general tax funds allows a few to control and to deny certain private uses without paying for such rights. We are not talking about unlimited pollution or other direct and harmful intrusions upon other people - all of these can and are being handled with existing laws. We are talking about differing opinions as to a person's right to own property and have the freedom to use that property as they see fit under existing well-regulated land use laws. To take away these rights is NOT the American way.

The Columbia Gorge is an area that has the variety, both natural and man made to satisfy the needs of economic activity; such as utilities, timber, fisheries, food products, to name a few and it is also a great transportation corridor for the railroads, water traffic and state and interstate highways that benefits all of the Pacific Northwest. All of these varieties are possible by the very existence of the people who live and work in the Gorge, over 41,000 who call the Gorge their home.

Stevenson Co-Ply, Inc. is owned and operated by the people living in the Gorge area and areas adjacent to the Gorge.

This bill if passed would be the threat of these people's heritage, lifestyle and possible extinction of generations living in the same area as their forefathers. This Gorge has been occupied for hundreds of years and is more beautiful and protected today because of the people living there.

You will receive today from other people and organizations

Telephone: 427-5621—427-5622
Area Code 509

STEVENSON CO-PLY, INC.
MANUFACTURERS OF DOUGLAS FIR PLYWOOD

PLANT & SALES OFFICE

P.O. Box F Stevenson, Washington

-3-
SENATE HEARING
MARCH 25, 1983

information that will confirm my statements.

The packets you are receiving from us today include the voices of many people and organizations opposing a National Scenic Area of the Columbia Gorge and I am requesting that all of the material be read into this Senate record.

cc:enclosures

COLUMBIA GORGE UNITED

Box 328
Stevenson, WA
98648

Box 384
Hood River, OR
97031

PEOPLE OPPOSING FEDERAL CONTROL

BOARD OF DIRECTORS
Jim Carpenter, President
Philip Gragg, Vice President
Joe Wrabek, Secretary
Jim Hutchings, Treasurer
Don Brashers
Ed Bristow
John Forland
Jean Hepburn
Madge Kaye
Larry Malloy
Joel Skousen
Doug Smith

EXECUTIVE DIRECTOR
Genevieve Garwood
509/427-8399

OFFICES
HOOD RIVER:
Box 384 (903 State St.)
Hood River, OR 97031
503/386-6653

STEVENSON:
Box 328 (248 First St.)
Stevenson, WA 98648
509/427-8382

VANCOUVER:
613 E. McLoughlin Blvd.
Vancouver, WA 98663
206/694-8047

OUR PURPOSE IS:

1. To establish a central organization for protecting the people of the Gorge from Federal Control.
2. To coordinate a united effort.
3. To produce a solid lobbying effort.
4. To organize a state and Federal movement.
5. To EDUCATE the public about the Gorge and how the issue affects them.
6. To allow the citizens of the Gorge to do what they decide is best for them without Federal pressure.

COLUMBIA GORGE UNITED

Box 328
Stevenson, WA
98648

Box 384
Hood River, OR
97031

PEOPLE OPPOSING FEDERAL CONTROL

BOARD OF DIRECTORS
Jim Carpenito, President
Philo Gregg, Vice President
Joe Wrabek, Secretary
Jim Hutchings, Treasurer
Don Bowhay
Ed Erickson
John Fastard
Jean Hepburn
Madge Keys
Larry Malloy
Joel Shearer
Doug Smith

EXECUTIVE DIRECTOR
Genevieve Gatewood
509/427-8269

OFFICES
HOOD RIVER:
84 (903 State St.)
River, OR 97031
98-8853

STEVENSON:
Box 328 (248 First St.)
Stevenson, WA 98648
509/427-8382

VANCOUVER:
613 E. McLoughlin Blvd.
Vancouver, WA 98663
206/694-8047

THE FOLLOWING ORGANIZATIONS AND GOVERNMENTAL BODIES HAVE GONE ON RECORD OPPOSING FEDERAL CONTROL OF THE COLUMBIA GORGE AS OF FEBRUARY 20, 1983:

City of Cascade Locks, Oregon
City of Stevenson, Washington
City of North Bonneville, Washington
City of Bingen, Washington
City of White Salmon, Washington
Community Council of Home Valley, Washington
Community Council of Lyle, Washington
Willard Women's Club, Washington
Skamania County, Washington
Port of Cascade Locks, Oregon
Port of Skamania County, Washington
Klickitat County Port District, Washington
Oregon State Grange
Washington State Grange
Mid-Columbia Marketing
Mid-Columbia Economic Development District
Washington Women in Timber
Washington Public Ports Association
Washington State GOP
Society of American Foresters
Pacific Northwest 4-Wheel Drive Association
Pacific Northwest Waterways Association
Skamania County PUD #1, Washington
Home Valley Water District, Washington
American Legion #137 (Stevenson and Carson, Washington)
Stevenson Business Association, Washington
Gorge Defense League
The Harry R. Truman Society
Washington Association of Realtors
Worker-Owner Plywood Association
Industrial Forestry Association
The Committee to Preserve Property Rights in the Columbia River Gorge
Columbia Gorge United
National Inholders Association
Skamania County Chapter, American Assn. of Retired Persons, Washington
Clark County Home Builders Association, Washington

Save the Columbia Gorge from what?

After an absence of nearly 60 years, I returned as a retired university professor in California to the Columbia River Gorge, where I was born and raised as a youth.

I was surprised at how little change had taken place over the more than half a century. In fact, the population had hardly grown, and except for the dam and the power lines, the area was virtually the same as when I left in the 1920s.

After building our retirement home in the Gorge, my wife and I learned to our dismay that there is a movement to "save the Gorge" from the "developers." What developers? And if someone wanted to suddenly "develop" an area that has barely changed through all the years — where were they during the building booms of the past? Why, especially during depressed times, is there a movement that would, in a sense, place our homes under government control? Were such a thing to go through, I couldn't even rebuild my home in case of fire.

I would like to appeal to the Vancouver City Council — or somebody, anybody — to consider the some 40,000 residents of the area, almost all of whom are as alarmed as I about the possibility of condemning the homes of the innocent, by persons who do not even live here.

Oh, me! Would that I had never returned.

Arthur A. Attwell
Skamania Landing Road
Skamania

Jan. 17, 1983
er, Wash. The COLUMBIAN B13

Republicans: local control for the Gorge

SEATTLE (AP) — Washington Republican leaders have agreed to back landowners in resisting a federal takeover of private lands along the Columbia River Gorge.

Republicans meeting Saturday also pledged to fight new moves to levy a state income tax and have unanimously elected Jennifer Dunn to a second two-year term as state GOP chairwoman.

A congressional proposal to restrict development along the Gorge conflicts with another old party plank supporting private property rights, Skamania County members reminded the state committee.

Dunn, 40, of Bellevue became the first woman to head the Republican Party in Washington when she was elected state chairwoman in 1981. She vowed to rebuild the party after losses suffered in the November election, when the Republicans lost control of both state houses.

A resolution to reaffirm the party's plank against a state income tax was approved unanimously by Republican committee members.

"I think the voters of this state have spoken against it (an income tax) four times now pretty adamantly," said Mike Hutton of Yakima County. "It's consistent. This has always been in our platform. We've agreed. Now let's stick to it."

A proposed resolution that would have asked the president and Congress to halt aid and trade with communist nations drew the most emotional debate of the day, and committee members agreed to put it aside until they had time to consider it in more detail.

B12 The COLUMBIAN Wednesday, Feb. 2, 1983
Vancouver, Wash.

river country

Clark GOP opposes federal Gorge control

Keep the federal government out of the Columbia Gorge, say Clark County Republican Central Committee members.

Monday night, about 20 precinct committee members unanimously passed a resolution opposing "any form of federal control over non-federal land in the Columbia River Gorge," said Jim Carpenito, committee chairman.

Congressional proposals have been made to place the Gorge under federal control and give the government "authority to condemn or restrict the free use of private property," says the resolution. Such restrictions are in conflict with county and state Republican platforms, Carpenito said.

CONSTITUTIONAL AND LEGAL IMPLICATIONS OF SCENIC PROTECTION PROPOSALS

by JOEL M. SKOUSEN

It is very easy to create bad legal trends or precedents when we engage in the quest for "scenic protection". Some of the greatest legal damage occurs when our discussions center around generalizations and enticing phrases about safety, beauty, and protection of scenic wonders. Many people are now engaging in such well-meaning discussions—all thinking that they are engaged in a very noble cause. It is my purpose to take the discussion out of the "Alice in Wonderland" of generalizations, into the real world of specific damage that will occur as a result of these proposals for scenic protection. I will attempt to show the following:

1. That no one can have any legal basis in law to ownership of a view or scene unless he owns the property containing the scenic view.
2. That scenic protection laws do not, in fact, protect any so-called scenic rights, either of the traveling public, or the residents of the area in question.
3. That scenic protection laws only establish and give to a specialized, politically appointed few the total power to determine what is acceptable in a scenic area and what is not.
4. That scenic protection laws are a dangerously unlimited extension of lawmaking, that can be expanded to control virtually every aspect of private property rights.
5. That while the controlling appointees of power may desire to be reasonable in their application of general criteria, they are not obligated to be reasonable since no legal definition of reasonableness is possible under law.
6. That all proposals mentioning joint management and joint control of both private and public interests are, in fact, non-existent and false. The body with the ultimate authority is the only authority. Any lower level public or private imput is only as good as a suggestion.

In discussion the terminology of PROTECTION, it is first important to understand that there are two completely different types of protection being proposed for the Columbia Gorge, or any other type of scenic area. Each type must be treated differently:

The first is the protection of existing ownership rights, meaning both private and public property and individuals, from harm or damage by other specific individuals or companies. Into this category fall all of the specific, identifiable, and traceable actions or ecological pollutants which harm specific individuals, specific properties, or joint rights such as access to fish and wildlife on public lands. In this category all of the specific rights of the public or individuals can be defined, identified and adjudicated in law. The conflicts and damages can be itemized, and assessed, generally with accuracy. Thus all laws in this category are limited in jurisdiction and do not have to be arbitrary or capricious. Such laws are already in existence and functioning.

The second type of protection is SCENIC protection. This type of protection is impossible to write into limited laws, without being completely arbitrary and capricious. There is no way to define ownership of a view outside of the realm of property rights, nor is there even any legal way of determining the value of the view. Damages cannot be determined because one person's opinion of a shack may be another person's historical cottage. All legal attempts to engage in scenic protection are an unlimited extension of lawmaking. This means that once you give someone power to control in this area, the person or group can exercise unlimited control because there is no way to limit or define their parameters of action.

FOR EXAMPLE, consider the following attempts at scenic protection.

1. In a well-to-do neighborhood, a poor family buys one of the few remaining lots

and proceeds to build a structurally safe, but ugly house. The neighbors call it a shack. They demand that he tear it down because it offends them and is "detrimental to their property values". He refuses, and the neighbors go to the city to demand condemnation powers to remove it as a public nuisance and "eye sore".

Should the city use its coercive powers to intrude, it would be an unlimited extension of lawmaking power. Since there is no way to codify or define what is a shack as opposed to a rustic house, any action of the city would be arbitrary. Certainly the house is better than all of the pioneer cabins that used to be totally acceptable or even the best thing available. And if the government has power to determine what is presently beautiful or not, it can condemn houses for other reasons, such as a color of paint that is ruled offensive. Now you may say that that isn't reasonable, but remember, once you allow a government appointed body to be limited only by what is reasonable, they have all power if they should choose to use it.

The fact that certain laws allow for public hearings is no safeguard at all. Whoever has the ultimate authority has all authority. They can totally disregard all public imput if the want. And in reality, there is no such thing as unified public imput—only group or individual imput. If they side with the values of the majority, the minorities' values have not be represented at all. Whichever side they choose, the other is left without representation.

What is the SOLUTION: Since we cannot define what is aesthetically pleasing and what is not, and since all people's judgement and values differ in some way, we are left with the only non-arbitrary solution: He who owns the property containing the view must have the sole power to decide. If other nearby property owners wish to protect their personal aesthetic values from the assumed poor values of others, they must purchase sufficient property around them as a buffer zone, or they may engage in a voluntary contract with the developer to establish restrictive covenants. Thus any future buyers know before they purchase what values they will have to accept prior to purchase.

2. In the same sense, if a person buys a lot with a mountain view, he does so with the understanding that he has no rights to restrict someone building another house in front of his view, unless he buys the property between him and his view.

3. Now let us consider the issue of scenic protection for the so-called traveling public in the Columbia Gorge. Suppose we have an old abandoned sawmill near the river in the gorge which is in plain sight of the traveling public. Two separate, unrelated individuals are driving down the gorge, and one expresses his pleasure at the unique antique and historical value of the old mill. The other sees the same thing and declares it an "eye sore". The latter goes to the newly established regulatory body and asks to have it declared a public nuisance and removed. Public hearings are held, and the first testifies as to its scenic value. The appointed panel of credentialed "experts" sides with the preservation opinion.

Has the traveling public's so-called right to the view been protected? Not at all. The opinion of the panel of experts was the opinion that was protected. Certainly they did not poll every car traveling down the gorge for their opinion. Though they sided with one, the other's opinion was rejected. So we cannot say the traveling public's view is protected by such powers—only the final opinions of the experts—who in fact are never obligated to decide in favor of anyone who testifies. Even if they were obliged to have findings of fact based upon testimony, it is a simple matter to ensure that someone comes and expresses an opinion that matches what the body desires to do. In the final analysis, no "facts" exist as to the aesthetic value—only opinions. And who is to say the opinion of artists, architects, or professionals is any more correct than the common person?

4. Now, take the example of the landowner in the gorge who has a large cottonwood tree in his yard by the road. The scenic protection laws prohibit anyone cutting down any trees without a permit, and a public hearing etc. He objects to the tree because of the massive dropping of leaves and cotton seed that he has to contend with. The appointed review body appoints its staff to photograph the tree in issue, get paid expert opinion on the aesthetic value, holds a public hearing to ascertain the public's opinion and then makes a ruling. Part of the dilemma involved is that in order to give the review board the appearance of legality, a set of goals or criteria to guide their decisions are

created, the applications of which, are totally arbitrary, and usually impossible to mesh with private interests. Almost always, the owner or petitioner is required to show why his cutting of this tree is in the PUBLIC INTEREST. Actually, there is no such thing as unified public interest, only special interests. Since the tree is in no way a public nuisance, there is no way he can show that it is in the public interest to cut it down. It is clearly in his own interest only. In fact it is impossible to show public need for most private interests—especially when personal finances, or lack thereof, are involved. So an injustice is done. The man is now forced to continue paying for the upkeep of the tree, plus he has had to contribute tax money to help pay for the arbitrary decision of this planning body and its staff, which is now involved in far more decisions than it can possibly make. Its backlog grows until either its budget breaks or it begins to make its rules even more arbitrary to facilitate its speed in decision making.

In any case, the so-called public is never being represented—only the view of the special panel as to what is "best" for the public. What we have created is only a small panel of "experts" with vast, nearly unlimited powers to control any aspect of private property that can be seen—which includes almost everything.

Now, you may be inclined to say that their powers are not unlimited because they are subject to election or to appointment by elected representatives. Or you may cite the carefully worded proceedures for changing the arbitrary criteria. But the provisions for change do not in fact work for any specific individual—only for the elite who are in power.

Note that when the initial rules are passed, they provide for "grandfather" clauses, meaning that all existing uses are excluded from control. Because of this, those that would normally testify against the proposed controls and regulations do not because the think they are protected. But actually, only their PRESENT AND EXISTING USE is protected. Since all properties and situations are in constant change, this protection is short lived. So all properties eventually come under the rules, even if only when transferred at death or sale. In other words, few are heard to testify in opposition to the rulés at their initial passage, precisely because all of its VICTIMS are in the FUTURE.

Now, when you get stung by the rules, you are looking a bureaucrat across the desk who may tell you why he doesn't agree with these rules, but that he is only doing his job. He tells you what you can do if you want to appeal. The proceedure is usually complex enough, due to a long history of court precedents, that it requires the use of a special land-use attorney. This can many times be more costly than the proposed CHANGE OF USE petition. Notice that it was this change of use that destroyed your grandfather exemption. If you are advised by the attorney that you cannot meet the arbitrary 14 goals or criteria for showing public need for you exception to the rules, you must try and go before a legislative body to get the rules changes.

Note that if the regulations emanate from a State level, the petitioner is looking at massive time and regulatory delays, not to mention the expenses of going to the State Capital and trying to get a hearing. If it is at the Federal level, nothing short of a large lobbying organization will help. Note that the cards are stacked against him. Even though a large percentage of citizens might be agrieved at one time or another, only a few are agrieved at any one moment, so they always appear as a tiny minority. Second, their grievances usually appear to be private interests, especially if they simply cannot afford the BUFFER ZONE requiring a certain number of trees in front of their new home, as required by law, for example. Third, if the legislatures care to make an exception, they face the wrath of the establish bureaucracy who hold full time, tax-funded jobs who can lobby for the maintenance of their regulatory powers. These legislators are quickly labeled as pro-development or anti-environmentalist if they take a stand in behalf of the private individual. So the changes are usually denied. Only in the cases where there is a massive public outcry, where many are agrieved simultaneously is there any chance of change.

THE ULTIMATE SOLUTION to scenic protection is in its purchase. If the public wants to own a piece of scenery so badly, and has so much fear that it will be developed in an offensive manner, then let the public contribute to a fund to purchase that. It should never be done by condemnation or by general tax funds. It is easy to talk of protection, but when the public has to actually pay for its desires, you will find very few, including dedicated environmentalists who will actually donate money to purchase. That is why there is such demand to use public funds, and public coercion. The elite who desire to be in control of the appointed bodies making the scenic preservation decisions can do so with other's money. Government coercion of private landowners is especially popular among preservationists because it allows them to control and to deny certain private uses without paying for such rights. Here we are not talking about unlimited pollution or other direct and harmful intrusions upon other people—all of these can be handled with existing law. We are talking about differing opinions as to an owner's freedom to do an act which may be viewed as aesthetically detrimental to another.

In the final analysis, scenic protection laws do not protect any individual or public rights—only the power of an elite appointed body to dictate their will in the name of the public. It makes no difference if they esteem themselves as acting with benevolence or in the so-called public interest. The fact is, the criteria upon which they are guided are totally arbitrary, and they alone determine if it is reasonable. This is not the American way. It is contrary to the very spirit of constitutional limits on the lawmaking power.

FEDERAL, STATE, AND COUNTY LAND USE REGULATIONS

Federal Law:

Corps of Engineers
Federal Energy Regulatory Commission

State Legislation:

Planning Enabling Act - 1963	Chapter 36.70 RCW
State Board of Health - 1965	Chapter 43.20 RCW
Environmental Policy Act - 1971	Chapter 43.21C RCW
Motor Vehicle Wreckers - 1961	Chapter 46.80 RCW
Subdivision Law - 1969	Chapter 58.17 RCW
Air Pollution Control Authority - 1967	Chapter 70.94 RCW
Hydraulic Project Application - 1955	Chapter 75.20 RCW
Forest Practices Act - 1974	Chapter 76.09 RCW
Surface-Mined Land Reclamation Act - 1970	Chapter 78.44 RCW
Washington State Surface - 1911,	Chapter 90.03 RCW
Ground Water Rights - 1945	Chapter 90.44 RCW
Shorelines Management Act - 1971	Chapter 90.58 RCW

County Ordinances:

Subdivision	Ordinance No. 1971-1
Camping Club	Ordinance No. 1973-1
Mobile Home Park	Ordinance No. 1973-4
Shorelines Management Master Program	June 1974
Building Permits	Ordinance No. 1975-08, 1982-01
Surface Mining	Resolution No. 1976-13
Surface Mining Activities In The Columbia Gorge - Letter Of Agreement	1977
Road Design Standards	Ordinance No. 1980-05, 1981-03
Short Plat	Ordinance No. 1980-07

Federal Law:

Corps of Engineers

The Corps Of Engineers requires a development permit for most developments within and along the Columbia River and the navigable tributaries of the Columbia.

Federal Energy Regulatory Commission (FERC)

The FERC requires a federal license for nearly all hydroelectric generating facilities.

State Legislation:

Planning Enabling Act - Chapter 36.70 RCW
Revised Code of Washington, Annotated (RCW)

The Planning Enabling Act gives the county authority to establish a county Planning Commission and Planning Department and to prepare a comprehensive plan for the physical development of the county and to facilitate coordinating county programs and services.

State Board Of Health - Chapter 43.20 RCW

Establishes regulations for water and sewage systems and solid waste (garbage) disposal.

Environmental Policy Act - Chapter 43.21C RCW

Most private, local government, and state agency capital improvement developments, and local government comprehensive plans, local government zoning and land use development ordinances require an environmental assessment to determine their impact on the environment.

Motor Vehicle Wreckers - Chapter 46.80 RCW

The Washington State Patrol administers a permit for development of automobile wrecking yards. Wrecking yards are required to meet a stiff set of environmental standards which includes screening and also must comply with any city or county zoning requirements.

Subdivision Law - Chapter 58.17 RCW

Establishes uniform regulations to be adopted by cities and counties throughout the state to regulate the subdivision of land.

Air Pollution Control Authority - Chapter 70.94 RCW

Air pollution is regulated by the Southwest Wasington Air Pollution Control Authority. This agency primarily regulates industrial sources of air pollution.

Hydraulic Project Application - Chapter 75.20 RCW

Requires developments within waterways and along the shorelines of rivers, streams and lakes to obtain a permit issued jointly by the Washington State Department of Game and Department of Fisheries.

Forest Practices Act - Chapter 76.09 RCW

The Department of Natural Resources requires a Forest Practices Permit for timber harvest, forest road construction, herbicide and pesticide spraying.

Surface and - Chapter 90.33 RCW
Ground Water Rights - Chapter 90.44 RCW

A water right permit is required from the Department of Ecology to divert surface water from streams, and to develop a well where the use exceeds 5000 gallons per day.

Shoreline Management Act - Chapter 90.58 RCW

This state law required the county to develop a shoreline management master program which met the criteria of state law for development along state designated rivers, streams and lakes. Most developments require a shoreline substantial development permit issued by the local government (city or county) and reviewed by the State Department of Ecology for compliance with the local shoreline master program.

County Ordinances:

Subdivision - Ordinance No. 1971-1

This ordinance establishes regulations for plats of five or more lots

Camping Club - Ordinance No. 1973-1

This ordinance establishes regulations for developments that lease camping sites for recreational vehicle camping units.

Mobile Home Park - Ordinance No. 1973-4

This ordinance establishes regulations for development of mobile home parks.

Shorelines Management Master Program - June 1974

The county adopted a shorelines management master program in accordance with the state shorelines act. Shorelines within the Columbia Gorge include the Columbia River, Duncan Creek, Woodward Creek, Hamilton Creek, Green Leaf Creek, Rock Creek, Spring Creek, Wind River, Little Wind River, Little White Salmon and Big White Salmon Rivers. Shoreline lakes are Ashes, Drano, Franz, Greenleaf Slough, Stevenson Mill Pond, Woody, Pierce and Wauna. Most development within these waterbodies or along the shorelines of these waterways require a shorelines substantial development permit.

Building Permits - Ordinance No. 1975-06, 1982 - 01

The county requires a building permit for residential, commercial and industrial building. All private parties, local and state government agencies are required to obtain a county building permit before construction of any building. Excavation of more than 400 cubic yards of soil requires an excavation permit from the county building department.

Surface Mining - Resolution No. 1976-13

Establishes guidelines relative to commenting on and giving recommendation to the Department Of Natural Resources for surface mining permit applications in the Columbia Gorge.

Surface Mining Activities In The
Columbia River Gorge - Letter of Agreement - 1977

A letter of agreement signed by Skamania and Klickitat County Commissioners and the Commissioner of Public Lands adopting guidelines relative to issuing surface mining permits in the Clumbia Gorge.

Comprehensive Plan - July 11, 1977

The county adopted a land use plan in July of 1977.

Road Design Standards - Ordinance No. 1980-05, 1981-03

The county has construction standards for the development of county and private roads. Subdivisions and short plats are required to have access to a county or state road and any road developed for a plat must meet the county road standards prior to final approval of a subdivision or short plat.

Short Plat - Ordinance No. 1980-07

This ordinance establishes regulations for plats of four or fewer lots.

Compliance With County Ordinances

All private parties including individuals, corporations and private entities, and state agencies and local governments are required to comply with county land use ordinances. Federal agencies are exempt from state law and county ordinances. Local government includes the county, port districts, public utility districts, fire districts, hospital districts, and water districts. Incorporated cities have the same responsibility as the county for their incorporated areas.

Additional information on these state laws, county ordinances and federal permits may be obtained from the Skamania County Planning Department, Courthouse Annex, Vancouver Avenue, or Post Office Box 30, Stevenson, Washington. Phone (509) 427-5141 ext. 232 or 233.

WASHINGTON WOMEN IN TIMBER
P.O. Box 473, Olympia, Washington 98507

Washington Women in Timber
POSITION ON THE COLUMBIA GORGE
Adopted by the Board of Directors August 30, 1982

Background

The Columbia River Gorge is recognized nationally for its unique geological and physical features. Preservation of the unique beauty of the Columbia Gorge was proposed as early as 1946 by the Portland Women's Forum. Increased travel and useage of recreational lands, primarily on national forest ownership on the Oregon side of the Gorge, has renewed interest in preservation of this scenic corridor.

Position

Washington Women in Timber favors conservation of resources in the Columbia Gorge. Examples of the resources include scenic beauty, timber, recreation and human cultural activities. Washington Women in Timber would not favor any singular resource over the exclusion of other resources. Nor would Washington Women in Timber endorse any proposal supporting the preservation of the Columbia Gorge. Washington Women in Timber supports local land use planning in the Gorge.

Rationale

Proposed legislation in the 97th Congress favors one resource, that of scenery, to the exclusion of other resources in the Columbia Gorge. Washington Women in Timber is concerned about the effects of such single use management on the timber resources.

With the proposed legislation (S. 2318 and 2319; H. 6001 and 6002) approximately 31,000 acres are classified as critical viewshed area in the Columbia Gorge. Approximately 17,000 acres of the critical area are in Skamania County. Therefore Skamania County will bear 60% of the entire critical area acreage of the Gorge (data from Skamania County Assessor, 8/23/82).

Timberland comprises 9,300 acres of the 17,000 acres critical area. That leaves timber management severely restricted or eliminated on 60% of Skamania County lands within this critical area. Let's assume that these 9,300 acres of timberland would be acquired by the Secretary of Agriculture. The valuation of the land not including the stumpage value would cost the United States Government approximately $33,000,000 assuming a conservative value of $3,500/acre (data from Skamania County Assessor, 8/23/82).

Acquisition of timberlands by the federal government would eliminate current revenue to Washington State and Skamania County from the state excise tax collected on harvested timber.

Such acquisition, incidentally, is not consistent with President Reagan's New Federalism, an aspect of which is a return of land management authority to state and local professional resource managers, including a return to local fiscal responsibility.

Washington Women in Timber supports conservation of the Columbia Gorge with local land use planning. Recently, a professional group of foresters, the Oregon Society of American Foresters, also supported the concept of using local land use planning to resolve resource conflicts in the Columbia Gorge (Oregon Society of American Foresters, A Position On The Management Of The Columbia River Gorge, 7/17/82).

The labor force in Skamania County is dependent on the logging and milling industries. Skamanians do not have the diversified industries of the larger cities in the Gorge. The lumber and wood products industries provided an average of one-quarter of the employment in Skamania County from 1977 to 1980. In some years, such as 1977, these industries provided one-third of the jobs (data from Ron Wahlers, Research and Analysis Branch, Washington State Employment Security Department, Olympia, 8/16/82). In addition, is the labor force that depends on the trade from the logging and milling workers in Skamania County.

If our timberlands are either acquired or rendered inoperative as "critical areas," we deny our children the gift of the future. That gift is one of on-going fully managed timberlands in the Columbia River Gorge.

Washington Women in Timber (WWIT) is an organization of women in Washington who support sound management and use of forest resources. Its members believe science and technology, combined with environmental care, can provide a sustained flow of forest products without damaging the environment. The first chapter of WWIT was formed in April, 1980. WWIT now has over 200 members across the state. It is affiliated with Federated Women in Timber which represents over 1,400 women in the states of California, Idaho, Montana, Alaska and Washington.

RESOLUTION 3-83
BY
KLICKITAT COUNTY PORT DISTRICT
A
MUNICIPAL CORPORATION OF WASHINGTON

SUBJECT: Management of the Columbia River Gorge

WHEREAS: The Columbia River flows through the Cascade Mountains in an area known as the Columbia River Gorge, which, while far from pristine, is undeniably scenic and unique in some respects, and

WHEREAS: The entire Columbia and Snake River System is also recognized as one of the most important trade and transportation corridors in the Pacific Northwest, with far greater potential than has heretofore been developed, and

WHEREAS: Any significant restriction to the orderly, rational growth of this system and the compatible development of the Gorge area will have serious negative economic consequences for the entire Pacific Northwest, and

HEREAS: Federal legislation has been introduced that would designate an area of some 87 miles in length through the Columbia River Gorge as a National Scenic Area, which contains provisions that could significantly inhibit the aforementioned growth and development, erode individual property rights, cause deterioration of the existing modest level of economic activity and seriously undermine the jurisdictional prerogatives of local government.

NOW, THEREFORE, BE IT RESOLVED, that KLICKITAT COUNTY PORT DISTRICT believes that both reasonable preservation goals and rational, highly important economic objectives for the Columbia River Gorge are fully achievable, without further federal involvement in the land use planning and management of the area, and the Port District does voice its opposition to any federal legislation which espouses federal oversight and/or increased involvement in the affairs of the Columbia River Gorge, especially S.2318 and S.2319 and their House of Representatives counterparts.

ADOPTED this 25th day of January, 1983.

KLICKITAT COUNTY PORT DISTRICT

Michael S. Mansfield, Commissioner

Albin Berglund
Albin Berglund, Commissioner

William M Hamm
William M. Hamm, Commissioner

WASHINGTON REPUBLICAN STATE CHAIRMAN'S COLUMBIA GORGE TESTIMONY

I thank the Chairman for allowing this testimony to be delivered for me before the hearing record today.

The Columbia Gorge issue involves the clash of many different principles, ideas, values, and perspectives that makes this controversy difficult but not intractable.

As Chairman of the Republican State Committee of Washington, I am compelled to speak in support of two fundamental principles underlying our Party's platform that are integral to an equitable solution to the Gorge controversy. One principle relates to individual rights, the other to effective and representative government.

I realize that many of you often hear testimony that revolves around the pronouncement of principles, and thus occasionally find the enunciation of principles redundent. But the authority you carry here today as lawmakers is derived from principles enshrined in the same Bill of Rights that many people here today believe you are perilously close to infringing upon. Proposing federal legislation to deal with a local matter is not merely unwarranted, but also inadvisable because it would serve to exacerbate this problem, not solve it.

A federal law is a coarse instrument that should not be used to solve a matter where local and state officials, who are closer to the problem and are directly accountable to the people affected by it, show the willingness and perseverence to do so themselves.

With regard to the rights of individuals, our Party fully supports, as the attached resolution supported by citizens in such diverse areas as Port Angeles, Colville, and Bremerton shows, the property rights of the 41,000 people living in the Columbia Gorge area. These rights have unfortunately been regarded by some people as just another competing interest to be measured against other interests. I find this very unfortunate. The right to own and develop property within reasonable limits is nothing less than the exercise of human freedom. Hopefully, whatever level of government ultimately deciding this matter will acknowledge the importance of people's property rights, and hopefully the committee members assembled here today recognize that the imposition of federal control over this region is incompatible with the people's property rights which are supposed to be insured, not usurped by the federal government.

Thank you.

Jennifer B. Dunn

Jennifer B. Dunn
Chairman

REPUBLICAN
STATE COMMITTEE
OF WASHINGTON

1509 Queen Anne Ave., North
Seattle, Washington 98109
(206) 285-1980

Jennifer B. Dunn
Chairman

REPUBLICAN
STATE COMMITTEE
OF WASHINGTON

1509 Queen Anne Ave., North
Seattle, Washington 98109
(206) 285-1980

Jennifer B. Dunn
Chairman

RESOLUTION

WHEREAS, the Columbia River Gorge is the home of 41,000 Americans who live there by choice and as free citizens, and

WHEREAS, legislative proposals have been made to place the Columbia River Gorge under centralized Federal control, giving the Federal government discretionary authority to condemn or restrict the free use of private property, and

WHEREAS, such restrictions are in conflict with the Washington State Republican Platform, which states that private property rights are to be guaranteed and protected by the government; now,

THEREFORE, BE IT RESOLVED, that the Republican Party of the State of Washington opposes the imposition of any form of Federal control over non-Federal land in the Columbia River Gorge.

RESOLUTION

WHEREAS, the Columbia River Gorge is the home of 41,000 Americans who live there by choice and as free citizens, and

WHEREAS, Congressional proposals have been made to place the Columbia River Gorge under centralized Federal control, giving the Federal government discretionary authority to condemn or restrict the free use of private property, and

WHEREAS, such restrictions are in conflict with the Clark County and Washington State Republican Platform, which states that private property rights are to be guaranteed and protected by the government; now,

THEREFORE, BE IT RESOLVED, that the Republican Party of Clark County, Washington opposes the imposition of any form of Federal control over non-Federal land in the Columbia River Gorge.

This Resolution was passed with no dissenting vote at the Clark County Republican Precinct Committeemen's Meeting on January 31, 1983.

Jim Carpenito, Chairman
695-1382

STATE LEGISLATIVE COMMITTEE

COMMITTEE RESOLUTION NO. 1

MANAGEMENT OF COLUMBIA RIVER GORGE

1. Whereas, some organized groups have started a drive to sponsor and pass legislation making the Columbia River Gorge a National Scenic Area under jurisdiction of the U.S. Parks Service; and

2. Whereas, each of the counties in the Gorge have adequate planning departments trained in land use planning; and

3. Whereas, all six involved counties have adopted land use plans; and

4. Whereas, five of the six have zoning laws; and

5. Whereas, County Commissions are mandated by law to administer these land use plans; and

6. Whereas, the Governors of both states are investigating this problem and are both in favor of local management and are in fact funding the Columbia River Gorge Commissions; and

7. Whereas, the pressure for a Parks Service takeover is mostly by people from outside the Gorge who always take a lock-everything-up stance for preservation rather than the Washington State Grange policy of conservation through wise stewardship; therefore be it

8. Resolved, the Washington State Grange go on record favoring local management of the Gorge and work for legislation to retain local management.

Adopted

Gen:

This was the very first resolution passed by the Washington State Grange in 1982. Washington State Grange has 41,000 members.

Jim Attwell

WHEREAS the Columbia River Gorge is an area of great scenic beauty and historical significance and valuable timber resources and

WHEREAS the Gorge has several communities and thousands of citizens who live and work in the Gorge and

WHEREAS both the environment and the heritage of the Gorge needs to be preserved and

WHEREAS the concerns for both natural resources and the people of the Gorge are best served through management of the Gorge by local government and

WHEREAS it has been shown that federal mangement of local affairs has usually resulted in a loss of communities, commerce, property rights and individual freedom,

NOW THEREFORE BE IT RESOLVED that the Wind Mountain Grange #788 does hereby affirm its support for local government and local control in all matters pertaining to the management and preservation of the Columbia River Gorge.

Approved this 4th day of August 1981.

S Douglas Simmons
Executive Committee

Executive Committee

Walter Hockinson
Executive Committee

L W Zerkel
Master

Frances Zerkel
Secretary

RESOLUTION

STEVENSON GRANGE 121

WHEREAS both the enviroment and the heritage of the Gorge needs to be preserved and

WHEREAS it has been shown that federal management of local affairs has usually resulted in loss of property rights and individual freedom and

WHEREAS timber is a renowable resource and when harvested properly makes a major contribution to our country's economy and

WHEREAS the concerns for both natural resources and the people of the Columbia River Gorge are best served through management of the Gorge by local government.

THEREFOR BE IT RESOLVED that Stevenson Grange 121 supports the aims of the Gorge Defence League.

ADOPTED THIS 15th DAY OF AUGUST, 1981 BY UNANIMOUS VOTE.

George O. Nichols
George Nichols, Master

Emogene Clucas Sec.
Emogene Clucas. Secretary

MT. PLEASANT GRANGE
No. 73

A PROCLAMATION

Whereas the Columbia River Gorge is an area of great economic value, scenic beauty and historical interest and

Whereas this area has numerous communities and thousands of citizens who live and work in and adjcent to the area and

Whereas the economic viability of the country and especially the management of these lands, for renewable resourses is of significant importance to the nation and

Whereas the historical value of the anciant routes of trade and exploration need to be illustrated and preserved and

Whereas the production of electrical power in the Gorge and its tributary rivers and streams is sinew for the industrial might of the nation and

Whereas this Gorge is a major trade route with two regional rail systems, two interstate highways and a principal water transportation system and

Whereas designating this area as a single use enclave as single beauty would seriously defeat the tremendous value of all resources combined and seriously damage the prosperity and strength of the nation;

Now therefor be it proclaimed that the Mt. Pleasant Grange No.73 does hereby affirm its support for maintaing the Gorge as a multi-purpose area to be wisly governed for the benefit of the people of the nation and by the people living adjacent to it and residing therein.

Approved this 11 of Sept. day of 19 81

Master William V Bancon

Sec. Beryl Fitzgerald

late in 1982.

Jim

WHEREAS the Columbia River Gorge is an area of natural and scenic beauty with historical significance; and

WHEREAS the Gorge has many communities and tens of thousands of citizens who live and work within the Gorge; and

WHERAS each of the counties in the Gorge have adequate planning in land use with adopted plans and zoning laws; and

WHEREAS County Commissions are mandated by law to administer these land use plans; and

WHEREAS the Governors of both states have investigated the counties' management and are both in favor of local management and are assisting the Columbia River Gorge Commissions; and

WHEREAS the pressure for a U.S.Park Service takeover is mostly by people from outside the Gorge, who do not own any property in the Gorge or have not visited the 30 State and County Parks set up for their use; one park with 6,000 acres is little used.

WHEREAS it has been shown the federal management of local affairs has resulted in a loss of communities, commerce, property rights and individual freedom.

NOW THEREFORE BE IT RESOLVED that the

CAPE HORN GRANGE of Skamania County

does hereby affirm it's support for local government and local control in all matters pertaining to the management and preservation of the Columbia River Gorge.

Approved this 10 day of June 1982

Master

Pauline K. Attwell

WHEREAS the Columbia River Gorge is an area of natural and scenic beauty with historical significance; and

WHEREAS the Gorge has many communities and tens of thousands of citizens who live and work within the Gorge; and

WHEREAS many families in the Gorge are 3rd and 4th generation owners of the same land which represents, in many instances, 100 years of hard work and pride of ownership. THIS IS AMERICA.

WHEREAS each of the counties in the Gorge have adequate planning in land use with adopted plans and zoning laws; and

WHEREAS County Commissions are mandated by law to administer these land use plans; and

WHEREAS the Governors of both states have investigated the counties' management and are both in favor of local management and are assisting the Columbia River Gorge Commissions; and

WHEREAS the pressure for a U.S. Park Service takeover is mostly by people from outside the Gorge, who do not own any property in the Gorge or have not visited the 30 State and County Parks set up for their use; one park with 6,000 acres is little used; and

WHEREAS it has been shown the federal management of local affairs has resulted in a loss of communities, commerce, property rights and individual freedom.

NOW THEREFORE BE IT RESOLVED that the

EVERGREEN GRANGE of Skamania County

does hereby affirm it's support for local government and local control in all matters pertaining to the management and preservation of the Columbia River Gorge.

Approved this 14 day of Sept. 1981

Curtis E. Presley
CURTIS E. PRESLEY, MASTER

MILDRED BOUCHER, SECRETARY

MANAGEMENT OF COLUMBIA RIVER GORGE

WHEREAS, some organized groups are sponsoring legislation making the Columbia River Gorge a National Scenic Area; and

WHEREAS, this movement is by people outside the gorge area who always take a lock-everything-up stance for preservation rather than the Washington State Grange policy of conservation through wise stewardship; and

WHEREAS, the cost of the federal acquisition of scenic areas in the Columbia River Gorge according to a study now being conducted by the Gorge Defense League would be in excess of two hundred million dollars ($200,000,000); and

WHEREAS, General Accounting Office reports have documented that federal management in similar areas has resulted in the loss of property rights and individual freedoms; and

WHEREAS, timber is a renewable resource and makes a major contribution to our county's economy; and

WHEREAS, designating the Columbia River Gorge as public domain will lead to the subsequent federal acquisition of private timber lands; and

WHEREAS, said lands will be removed from the tax rolls resulting in loss of revenue to the state, county and federal government forever; therefore be it

RESOLVED, that Cascade Pomona #43 urge the State and National Grange to work for and support local control in all matters pertaining to the management and preservation of the Columbia River Gorge; and be it further

RESOLVED, that a copy of this resolution be sent to the Washington State Grange, the National Grange and to the Senators and Representatives to Congress from the State of Washington and to Senator Hal Zimmerman and Representatives Dennis Heck and Bob Chamberlain.

ADOPTED THIS 24 DAY OF April 1982

Lawrence Shaw
Master

Ruth [illegible]
Secretary

Washington State Legislature

Olympia

February 8, 1983

Senator Bob Packwood
1220 SW Third, Room 385
Portland, OR 97204

Dear Senator Packwood:

This is to protest in the strongest terms possible both the lack of notification by your office of the hearing to be held February 10 at the Hood River Inn and the refusal by your staff to schedule a representative of our delegation for oral testimony at that meeting. In fact, our knowledge of the meeting came from others in the district calling to express their frustration, anger and dismay at being denied the privilege of being heard.

The hearing, we learned, was to explore the potential for trade and tourism in the Columbia River Gorge. This and other subjects affecting the resources and the welfare of the people in the Gorge area are of vital interest to us. Thus we are highly offended by the selectivity evident in the notification process.

What is happening to open discussion when citizens are refused access to the committee hearing process and the elected representatives of the only district encompassing the full length of the Columbia River Gorge are not only not invited to testify, but are in fact discouraged from doing so?

We deplore what seems to us a particularly highhanded and cavalier attitude on an issue which is of obvious concern to people on both sides of the Columbia River. It certainly does nothing to gain the confidence and cooperation of Washington residents in the area. We would venture to say that such methods do much to exacerbate the already prevalent impression by Washington Gorge residents of being ignored and overridden by Oregon interests.

Senator Bob Packwood
February 8, 1983
Page 2

Since we will not have the opportunity to appear at the U. S. Senate Commerce Committee hearing in Hood River on February 10, we want to go on record in opposition to any action proposed by that committee which would tie management of the Columbia River Gorge to the National Scenic Area designation. At hearings held in 1981 by the Governor's Select Committee on the Columbia River Gorge and in subsequent meetings the three of us have had in the district, the preponderance of testimony and discussion have consistently favored local control. We support the area residents in their strong belief that stewardship can most effectively and efficiently be carried out by those closest to the resource to be managed.

In the future it is our wish to be granted the official courtesy of formal notification on any hearings that deal with Columbia River Gorge issues. Further, we would like the opportunity to be heard when we have an oral statement to make.

Sincerely,

DENNIS L. HECK	DEAN A. SUTHERLAND	HAROLD S. ZIMMERMAN
Majority Leader	State Representative	State Senator

DLH/DAS/HSZ:jch

bcc: Ed McLarney, SKAMANIA COUNTY PIONEER
Andy McNab, GOLDENDALE SENTINEL
John Bledsoe, WHITE SALMON ENTERPRISE

82-4

WASHINGTON PUBLIC PORTS ASSOCIATION

RESOLUTION

WHEREAS, the Columbia River flows through the Cascade Mountains in an area known as the Columbia River Gorge, which, while far from pristine, is undeniably scenic and unique in some respects, and

WHEREAS, the entire Columbia and Snake River System is also recognized as one of the most important trade and transportation corridors in the Pacific Northwest, with far greater potential than has heretofore been developed, and

WHEREAS, any significant restriction to the orderly, rational growth of this system and the compatible development of the Gorge area will have serious negative economic consequences for the entire Pacific Northwest, and

WHEREAS, federal legislation has been introduced that would designate an area some 87 miles in length through the Columbia River Gorge as a National Scenic Area, which contains provisions that could not only inhibit the aforementioned growth and development but also cause deterioration of the existing modest level of economic activity and seriously undermine the jurisdictional prerogatives of existing local government and regulatory bodies.

NOW, THEREFORE, BE IT RESOLVED, that the membership of Washington Public Ports Association believes that both reasonable preservation goals and rational, highly important economic objectives for the Columbia River Gorge are fully achievable, without further federal involvement in the land use planning and management of the area, and the Association does voice its opposition to any federal legislation which espouses federal oversight and/or increased involvement in the affairs of the Columbia River Gorge, especially S.2318 and S.2319 and their House of Representatives counterparts.

I hereby certify that this is a true copy of the resolution adopted by the Washington Public Ports Association at their Annual Meeting in Everett, Washington on December 3, 1982.

/s/ Lewis R. Holcomb
Lewis R. Holcomb, Executive Director

PORT OF CASCADE LOCKS COMMISSION
CASCADE LOCKS, OREGON

RESOLUTION NO. 1983-1

A RESOLUTION OPPOSING DESIGNATION OF THE COLUMBIA RIVER GORGE AS A NATIONAL SCENIC AREA.

WHEREAS, there is an initiative to pass legislation in the Congress to designate the Columbia River Gorge a National Scenic Area and,

WHEREAS, drafts of such legislation indicate that ultimate control of land use decisions for large areas of the Gorge would be vested in the Federal Government instead of local governments, that the U. S. Forest Service would have expanded condemnation power and that huge sums of taxpayers money could potentially be spent in implementing the legislation and,

WHEREAS, Oregon State Mandated land use planning is being implemented, regional preservation efforts are in place and local planning efforts in Cascade Locks have traditionally been of highest quality.

NOW THEREFORE BE IT RESOLVED by the Port of Cascade Locks that it categorically opposes National Scenic Area designation because it is unnecessary, it duplicates local planning efforts, it usurps local control and would have exorbitant cost to taxpayers.

ADOPTED this 27th day of January, 1983.

Marion Bump
President

Secretary

SEAL

Resolution No. 1983-04

In the Matter of Management of the Columbia River Gorge

WHEREAS, the Columbia River Gorge flows through the Cascade Mountains in an area known as the Columbia River Gorge, which, while far from pristine, has scenic and natural qualities that require continuing protection and enhancement in the interest of all people; and

WHEREAS, the Columbia River Gorge provides an economic base and homelands; and

WHEREAS, the coordinated planning and management of the Columbia River Gorge can and should be met by local stewardship and efforts on the part of local and state officals; and

WHEREAS, proposed federal legislation would designate an area of some 87 miles in length through the Columbia River Gorge as a National Scenic Area, which contains provisions that could significantly inhibit growth and development, erode individual property rights, cause deterioration of the existing modest level of economic activity and seriously undermine the jurisdictional prerogatives of local government;

NOW THEREFORE BE IT RESOLVED, that the Skamania County Board of Commissioners believes that both reasonable preservation goals and rational economic objetives for the Columbia River Gorge are feasible without further federal involvement in land use planning and management of the area, and the Board of County Commissioners opposes any federal legislation which espouses federal oversight and/or increased involvement in the affairs of the Columbia River Gorge and its people.

PASSED IN REGUALAR SESSION this 8 day of FEBRUARY, 1983.

BOARD OF COUNTY COMMISSIONERS
SKAMANIA COUNTY, WASHINGTON

Eric Wedin
Chairman

E. Callahan
Commissioners

Commissioners

ATTEST:

Gary M Olson
County Auditor and Ex-Officio
Clerk of the Board

RESOLUTION NO. 83-01

A RESOLUTION REAFFIRMING THE POSITION TO RETAIN LOCAL MANAGEMENT AND OPPOSE ANY FEDERAL CONTROL OF THE COLUMBIA RIVER GORGE

WHEREAS, Columbia Gorge United, an organization of people opposing Federal Control ofthe Columbia River Gorge presented their views to the Council of the City of Bingen, and

WHEREAS, the Council of the City of Bingen has gone on record opposing Federal Management of the Columbia River Gorge, and

WHEREAS, the Council of the City of Bingen believes that local governing bodies can best manage the lands within their jurisdictions,

NOW, THEREFORE, BEIT RESOLVED that the Council of the City of Bingen supports Columbia Gorge United in their efforts to retain local management and discourage Federal Control, and

BE IT FURTHER RESOLVED that Columbia Gorge United may copy and forward this resolution to Federal legislators in furthering the effort to oppose Federal legislation to control the Columbia River Gorge.

PASSED in regular session this 1 day of _____ . February, 1983.

Charles B. Long
Mayor, City of Bingen

ATTEST:

Nancy L. Hoover
Clerk, City of Bingen

APPROVED AS TO FORM:

Attorney, City of Bingen

Glockenspiel
Bell Tower
White Salmon

City of White Salmon

MAYOR: Cecil Jaksha
CLERK-TREASURER: Joanne Wells
CITY ATTORNEY: Grant J. Soulie

170 N.W. Lincoln
P. O. Box 305, White Salmon, WA 98672
Telephone 509-493-1133

RESOLUTION #1983-3-117

SUBJECT: Management of the Columbia River Gorge

WHEREAS: The Columbia River flows through the Cascade Mountains in an area known as the Columbia River Gorge, which, while far from pristine, is undeniably scenic and unique in some respects, and

WHEREAS: The entire Columbia and Snake River System is also recognized as one of the most important trade and transportation corridors in the Pacific Northwest, with far greater potential than has heretofore been developed, and

WHEREAS: Any significant restriction to the orderly, rational growth of this system and the compatible development of the Gorge area will have serious negative economic consequences for the entire Pacific Northwest, and

WHEREAS: Federal legislation has been introduced that would designate an area of some 87 miles in length through the Columbia River Gorge as a National Scenic Area, which contains provisions that could significantly inhibit the aforementioned growth and development, erode individual property rights, cause deterioration of the existing modest level of economic activity and seriously undermine the jurisdictional prerogatives of local government.

NOW, THEREFORE, BE IT RESOLVED, that the City of White Salmon believes that both reasonable preservation goals and rational, highly important economic objectives for the Columbia River Gorge are fully achievable, without further federal involvement in the land use planning and management of the area, and the City of White Salmon does voice its opposition to any federal legislation which espouses federal oversignt and/or increased involvement in the affairs of the Columbia River Gorge, especially S.2318 and S.2319 and their House of Representatives counterparts.

ADOPTED this 9th day of February, 1983.

Cecil Jaksha
MAYOR OF THE CITY OF WHITE SALMON

Joanne Wells
CLERK-TREASURER OF THE CITY OF WHITE SALMON

The land where the sun and the rain meet

WHEREAS the Columbia River Gorge is an area of great scenic beauty and historical significance and

WHEREAS the Gorge has many communities and tens of thousands of citizens who live and work in the Gorge and

WHEREAS both the environment and the heritage of the Gorge needs to be preserved and

WHEREAS the concerns for both natural resources and the people of the Gorge are best served through management of the Gorge by local government and

NOW THEREFORE BE IT RESOLVED that the

CITY OF STEVENSON

does hereby affirm its support for local government and local control in all matters pertaining to the management and preservation of the Columbia River Gorge.

Approved this 10th day of September, 1981.

James C Wright

RESOLUTION NO. 227

WHEREAS, the City of North Bonneville, Washington, has demonstrated its capacity and capability to plan for its own future, and

WHEREAS, the people that live in North Bonneville accept the responsibility for exercising stewardship of their environment within the Columbia River Gorge, and

WHEREAS, the only effective means to implement and enforce land use management is through direct involvement of the people that live on and within the land, and

WHEREAS, the City of North Bonneville and all of its citizens are committed to respect for and protection of the Columbia River Gorge as a quality environment of State and National importance.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of North Bonneville, that:

1. Land use planning and growth management are priority considerations for protecting the quality of the environment known as the Columbia River Gorge.

2. Land use planning and growth management are priority obligations of local governments and people living in a particular region that focus upon environmental quality and responsible stewardship of the land while providing for the economic, social and cultural well-being of the people affected by adopted policies.

3. Where Regional, State and National resources are identified in a region, such as the Columbia River Gorge, that require immediate and sensitive land use planning and growth management, National, State and Regional financial and technical resources should be made available to local government for land use planning and growth management.

4. Federal and State resources should be made available directly to local governments with the intent of maximizing direct involvement of citizens in the Columbia River Gorge in the formulation of land use and growth management priorities.

5. Establishment of land use and growth management priorities is a local responsibility vested with the people and local governments of a region through a balancing of Local, Regional, State and National resource heeds.

6. Responsible stewardship of the Columbia River Gorge can best be achieved by Federal.and State reinforcement of the strength of local governments through direct technical and financial resource support for land use planning and growth management in the region.

7. Land use planning and growth management policies shall be formulated, administered and enforced by the people who live in the Columbia River Gorge through their local governments, in a coordinated and consistent regional context reflecting the unique qualities and characteristics of the region.

Resolution No. 227 Page 2

8. Federal control or management of the Columbia River Gorge is not in the National interest, the interest of local governments, the people who live in the Gorge or the States of Washington or Oregon. Federal control or management will generate conflict and foster disrespect for dictated National interest that will appear to most citizens as stripping them of their individual rights and freedoms.

9. We stand united with our citizens in accepting our obligation for responsible stewardship of the Columbia River Gorge and equally united in our unconditional opposition to any form of Federal control or management over the Gorge.

PASSED IN REGULAR SESSION THIS 8th day of February, 1983.

Ermit J Skala
Mayor

Attest:

Shirley J Barnes
City Clerk

Ayes: 5
Nays: 0

WHEREAS the Columbia River Gorge is an area of great scenic beauty and historical significance and

WHEREAS the Gorge has many communities and tens of thousands of citizens who live and work in the Gorge and

WHEREAS both the environment and the heritage of the Gorge needs to be preserved and

WHEREAS the concerns for both natural resources and the people of the Gorge are best served through management of the Gorge by local government and

WHEREAS it has been shown that federal management of local affairs has usually resulted in a loss of communities, commerce, property rights and individual freedom,

NOW THEREFORE BE IT RESOLVED that the

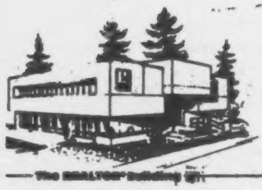
STEVENSON BUSINESS ASSOCIATION

does hereby affirm its support for local government and local control in all matters pertaining to the management and preservation of the Columbia River Gorge.

Approved this 12th day of August 1981.

Barbara Bailey, Pres.

Donna Rush Sec/Treas



Washington Association of REALTORS®

Suite 200 • 504 East Fourteenth
Post Office Box 719 • OLYMPIA, WASHINGTON 98507
(206) 943-3100

February 28, 1983

Dear REALTORS®:

As President of the Washington Association of REALTORS® I am calling on all REALTOR® members for help on a matter of great concern: federal control of private property. Right now some members of congress are drafting legislation that would place most of the private property in the Columbia River Gorge under federal control.

You may ask: Why is control of the Columbia River Gorge important to those REALTORS® who do not live or own land there? The answer is simple: as REALTORS® we are dedicated to the protection and the preservation of the free enterprise system and the right of the individual to own real property as guaranteed by the Constitution. Thus, we oppose undue intervention by the federal government in the affairs of American business.

Federal control of the Gorge is being pushed by a Portland based environmental organization. Lacking confidence in local government's ability to properly regulate development, this group is trying to use their political muscle to have the federal government intercede in local land use decisions. If their efforts are successful, others may try the same approach in the San Juan Islands, Skagit Valley and other areas. We must make it clear to our congressmen that increased federal control is not warranted.

The Washington Association of REALTORS® is collecting a minimum of 25,000 signatures of persons opposed to increased federal control of the Gorge. Please sign the enclosed petition yourself and then ask each of your salesmen to sign. Friends and family are also welcome to sign the form. Please return the signed petition in the enclosed envelope by April 10, 1983.

For further information contact: Stephen A. Hyer, Director of Growth Management and Communications 1-800-562-6024 (toll free).

In advance, the association thanks each of you for your help!

Sincerely,

V. W. Fletcher

Wayne Fletcher,
President

POSITION STATEMENT

The Washington Association of REALTORS® is opposed to federal control of private land in the Gorge area as it is both unwarranted and unjustified. Our position is summarized as follows:

- Land use control in the Columbia River Gorge should be left up to the existing state and local authorities who can assess the needs of local citizens and property owners. Private property owners can best be represented at the local level.

- The need for federal control has not been justified by the proponents of the legislation.

- By failing to recognize the need for a timely link between authorization and appropriation, Congress and the administration have a virtual blank check to identify lands for purchase regardless of their national value and the impact on the private property owner.

- The constitutional rights of private property owners must not be infringed upon. An indirect condemnation of private land is often the result of current acquisition and land use policies. From the private property owner's perspective, present and future uses and values are frequently greatly diminished with no prospect of compensation forthcoming.

- Practical hardships are often placed on property owners who are placed in "limbo" of being subject to total federal control but not actually purchased. If the owner desires to sell his/her property already identified for eventual acquisition and the government will not promptly acquire and compensate on a timely basis for whatever reasons, the property owners suffer real economic and personal hardship and this hardship may continue over a long period of time.

IMPORTANT: SIGN THE ENCLOSED PETITION TODAY!!

RESOLUTION NUMBER 31 AUGUST 20, 1981

A RESOLUTION SUPPORTING THE AIMS OF THE GORGE DEFENSE LEAGUE

WHEREAS THE GORGE DEFENSE LEAGUE is organized for the sole purpose of promoting continuance of local control for land use planning, and

WHEREAS Home Valley Water District has bonded indebtedness, and

WHEREAS funding for bond redeption and operating revenues were and are based on a projected growth factor, and

WHEREAS the best information available: The Park Service Study of the Columbia River Gorge and research of areas where similar types of Federal Government jurisdictions have been imposed, indicate that establishment of a National Scenic Area or any total federal dominance of land use would result in a severe negative impact, and

WHEREAS construction and operational planning for Home Valley Water District has been based on a growth factor, and

WHEREAS any negative impact on growth and revenue would create a hardship for members, and

WHEREAS a severe negative impact could result in receivership, now

THEREFORE BE IT RESOLVED BY BOARD OF COMMISSIONERS, HOME VALLEY WATER DISTRICT to support the aims of the Gorge Defense League in retaining local control of land use planning.

ADOPTED this 20th day of August, 1981, in regular session at Carson Fire Hall, Carson, Washington, 98610.

Robert W Barnes

G. L. Madday

American Legion
Post 137
Carson, Wa. 98610

RESOLUTION

At a regularly sceduled meeting on September 9, 1982 of the Stevenson/Carson American Legion Post #137 the following resolution was adopted by the membership:

> Whereas, there now exists a movement fostered primarily by persons from the urban area to impose outside controls and restrictions on the use of locally owned lands and private enterprises in the Columbia River Gorge communities, and
>
> Whereas, these controls and restrictions will usurp and negate the constitutional role of local governments and private citizens and create enormous economic and social problems for our citizens.
>
> In addition, the cost of federal/state intervention will cost hundreds of millions of our tax dollars which the government doesn't have and, even if it did, it would be be better spent on employment and social programs.

Therefore be it resolved that the Stevenson/Carson American Legion Post #137 is in accord with the position advocated by the Gorge Defense League. We oppose any and all federal/state legislation that directly or indirectly usurps and negates the lawful and constitutional rights of our duly elected political entities.

Signed [illegible]
Commander
John Saverud

Attested to by Henry Stephens Adjutant
Henry Stephens

SKAMANIA COUNTY PUD # 1

Resolution No. 257

WHEREAS, the Commerce Committee, Subcommittee on Business Trade and Tourism, of the U.S. Senate is holding hearings on the Columbia River Gorge on February 10, 1983, and

WHEREAS, commerce and trade in this area can best be enhanced by private business and local government, and

WHEREAS, the Columbia River Gorge has been threatened with designation as a National Scenic Area under the U.S. Forest Service, and

WHEREAS, it is the feeling of this Commission that such a designation is detrimental to business and free enterprise, and would seriously weaken the rights of local government and freedom of the residents of the affected area

NOW, THEREFORE, BE IT RESOLVED that this Board hereby affirms the right of local people to local self determinination in the area of land use planning, and hereby express our opposition to the National Scenic Area designation for the Columbia River Gorge, or any other designation that would reduce the rights of local government and people.

Adopted this 7th day of February, 1983 in regular session.

Carl L Nielsen
Carl L. Nielsen, President

Attest:

Parker L Knight
Parker L. Knight, Secretary

RESOLUTION NUMBER ONE (1)

HOME VALLEY COMMUNITY COUNCIL

WHEREAS the Home Valley Community Council was formed for the purpose of enhancing all desirable aspects of community life, and

WHEREAS land use planning is the single most important issue in community development, and

WHEREAS THE Home Valley Community members, after discussion, unanimously favored local control of land use planning, and

WHEREAS the Gorge Defense League is an organization formed for the single purpose of retaining local control of land use and land use planning, now

THEREFORE BE IT RESOLVED that Home Valley Community Council supports the aims of the Gorge Defense League.

ADOPTED THIS 20th DAY OF JULY, 1981, BY UNANIMOUS VOTE.

George Barnes
George Barnes, Chairman

John Dunoven, Sec.-Treas.

MT. St. HELENS LODGE
SPIRIT LAKE
HARRY TRUMAN

The
HARRY R.
TRUMAN
SOCIETY
P.O. Box 359
Underwood, Washington 98651
"We Shall Not Be Moved"

POSITION STATEMENT

The Harry R. Truman Society throws another glove into the ring in the battle over the Columbia River Gorge. We declare that the United States government has become a more awesome and brutal taker of land than Mount St. Helens, which claimed the life and home of Harry R. Truman.

Like Truman, who was the epitome of the independent American, we are determined to risk even death to stay in our homes and maintain our way of life.

We are unalterably opposed to Scenic Area legislation in the Columbia River Gorge.

Barbara Schwab, Chairman
(509) 538-4804

WILLARD
WOMEN'S CLUB

February 23, 1983

Columbia Gorge United
Joe Wrabek, Secretary
Box 328
Stevenson, WA 98648

Dear Mr. Wrabek,

On September 9, 1982 the Willard Women's Club unanimously adopted the following testimony to be presented to Congressional committees considering the proposed Columbia Gorge Scenic Area proposal. February 17, 1983 the Club voted to send the testimony to the Senate Commerce Committee.

"The Willard Women's Club of Willard, Washington, has been part of Skamania County for over fifty years. We love the Gorge and want to preserve its beauty and grandeur, and we feel this can best be done on the local level.

We don't want federal control of the Gorge. Many of us have our whole life savings invested in our homes and land, and this is where we want to continue to live. It would create a hardship on us to do otherwise. A federal land takeover would destroy our communities, our homes, our jobs and our rural heritage.

We believe in the right of the individual to own and cherish his own property without any interference whatever. Isn't that what our forefathers wanted when they founded this country?

We can't understand how Congress can think of spending large sums of money at a time when our country is so in debt, and when we have so many out of work. Surely our legislators' time can be better spent thinking of getting the lumber industry back on its feet and people back to work, instead of spending the taxpayers' money to steal our homes and land.

It would seem that we would be protected under the U.S. Constitution from this kind of landgrab, but what else can we expect when we have elected officials that are ready to rewrite or disregard that which they are sworn to uphold?

This old tree-covered lava rock pile the so-called "Friends" covet has been here for many years; why didn't they buy it with their own money, piece by piece, so they could create a little Eden of their own? I'll bet then they wouldn't want Big Brother interfering with their homes either.

This same federal government has destroyed the Celilo Falls, The Cascade Locks, North Bonneville twice, and built monstrous power plants up and down the river wherever they pleased. These plants were built by promising us reasonable power rates forever. Can we trust this kind of unanswerable power to keep our best interests at heart?

We consider this proposal, which was conceived by the Portland-based "Friends of the Columbia Gorge", and introduced by Oregon Congressmen and Senators, to be an invasion of the state of Washington. One state hasn't invaded another since Civil War days. What's Oregon's excuse?"

Sincerely,

Vivian Fisher, Secretary

White Salmon, Washington
February 7, 1983

The Honorable Senator Bob Packwood

Re: Hearing on Colombia River Gorge

Dear Sir,

As a representative of the Town Council of Lyle, Washington; I wish to protest the circumstances under which the proposed February 10th hearing is being held.

It appears that the areas which are most directly affected will have no input at this hearing.

Since this hearing is to gather input for future federal legislation, I urge you to include testimony from all concerned, not just a few hand-picked people.

Sincerely,

Donald Brashers

Walter Donald Brashers
Box 224
Lyle, Washington 98635

DENNY SMITH
2d District, Oregon

Congreſs of the United States
House of Representatives
Washington, D.C. 20515

Washington Address:
1207 Longworth House Office Building
(202) 225-5711

Salem Address:
4035 12th S.E. #30
P.O. Box 13089
Salem, Oregon 97309
(503) 399-5756

January 3, 1983

Genevieve Garwood
Executive Director
Columbia Gorge United
P.O. Box 328
Stevenson, Washington 98648

Dear Genevieve:

Thank you for sending me the article Roy Craft published.

I want to assure you of my continuing interest in the Columbia River Gorge and my continuing support for those of you who believe as I do on this issue.

Please continue to keep me informed; I appreciate your efforts.

Best regards,

Denny

Denny Smith
Member of Congress

DS:j

DEAN A. SUTHERLAND
SEVENTEENTH DISTRICT
[illegible] N.E. [illegible] ST.
VANCOUVER, WA [illegible]
RES. TEL.: (206) [illegible]

[illegible] LEGISLATIVE BUILDING
OLYMPIA, WA 98504
OLYMPIA TEL.: (206) 753-7978
HOTLINE MESSAGES
1-800-562-6000

FORTY-EIGHTH LEGISLATURE
1983
COMMITTEES

ENERGY & UTILITIES
HIGHER EDUCATION
NATURAL RESOURCES
TRANSPORTATION, VICE CHAIRMAN

House of Representatives
STATE OF WASHINGTON
OLYMPIA

March 4, 1983

Mrs. Jody Smith
P.O. Box 181
Lyle, WA 98635

Dear Mrs. Smith:

Thank you for contacting me regarding your opposition to federal participation in the preservation of the Columbia River Gorge.

House Joint Memorial 18 has been introduced, gone through first reading on the floor, and will be heard in the Natural Resources Committee of which I am a member. I am supporting the memorial to Congress because I feel confident that the Gorge issue can be handled better on a local level. More time is needed to work on an effective local solution.

Thank you for contacting me. Please do not hesitate to contact me again in the future regarding this issue or any other of concern to you.

Sincerely,

Dean

DEAN A. SUTHERLAND
State Representative

DAS:cr

Pauline Attwell
Master of Cape Horn Grange #70
Skamania Landing
Stevenson, Wa. 98648

14 October 1982

Jim Justin..Mayor
City of Vancouver
P.O.Box 1995
Vancouver, Wa. 98668

Dear Mr. Justin:

Thank you for your letter and invitation to attend the October 18th. public hearing regarding proposals on the Columbia River Gorge.

Our Grange is the second oldest Grange in the State of Washington. Many of our members are seniors and have lived in the center of the Gorge, many for 75 years and they all state that the Gorge is just as beautiful today as it was 75 years ago. Except for the unatural, unsightly things such as highways, guardrails, railroads and power dams with powerlines, which we do need.

Our Grange has passed a resolution that jurisdiction of control of the Gorge remain with local control as it has for 130 years. If it has remained so beautiful with local control for so long...that a few out of state people now wish it to become a Federal Park...let us just leave it under local control. Our Grange has 105 members.

Skamania County alone has 25 parks, one takes in 6,000 acres and Hamilton Mountain. We question, has Nancy Russel or Don Clark ever hiked a Trail in this Park?

The "Save the Gorge" slogan coined by those who encourage a federal takeover, is built on the big lie that the people who own the Gorge are hell-bent to destroy it.

Please take time to drive from Portland to The Dalles on Highway 84 and look across the river and indentify one, just one area where Washingtonians have despoiled the beauty pf the Gorge.

Sincerly,

enc. 1 resolution by Cape Horn Grange #70 Pauline K. Attwell

9/6/82

DEAR POWERS-THAT-BE,

IT SEEMS APPALLING TO ME THAT OUR SMALL COMMUNITY (PEOPLE OF THE GORGE) WITH ITS RICH HERITAGE OF FREEDOM CAN BE PUT IN A POSITION AKIN TO DAVID AND GOLIATH.

WE HAVE DEMANDED OF US TO SHOW HOW WE MUST MEET STANDARDS IMPOSED FROM PEOPLES FOR THE MOST PART OUTSIDE THIS IMMEDIATE AREA. THE SO-CALLED "FRIENDS OF THE GORGE" HAVE "ALLOWED" THAT WE COULD BE PART OF THE PROCESS OF DETERMINATION; NEVERTHELESS, WE HAVE BEEN COERCED RATHER PATRONIZINGLY MUCH IN THE MANNER THAT GOLIATH MOCKED DAVID.

HOW CAN WE DEAL WITH THIS? TO COUNTER THE CHARGES OF ABUSE ALLEDGED TO BE REAL AND POTENTIAL PUTS US IN A RIDICULOUSLY UNFAIR POSTURE OF HAVING TO DEFEND OURSELVES WITHOUT RECOGNIZING OR KNOWING GUILT IN THE MATTER AT HAND.

DAVID, AGAINST OVERWHELMING ODDS (GOLIATH) STOOD FIRM AND HELD HIS OWN GROUND WITHOUT COMPROMISE AND IN DOING SO SPOKE FOR ALL UNDERDOGS. I SAY SO MUST WE. WE ENJOIN THIS TESTING WITH HEAD HIGH AND DIGNIFIED BEARING. WE STAND POISED AND PROUD TO SAY WE COUNT FOR THE INTEGRITY OF OUR PROMISED HERITAGE, LOCAL GOVERNMENT.

DAVID, THOUGHT INSIGNIFICANT, PREVAILED OVER GOLIATH. IN PRINCIPLE, IF NOT IN FACT SO SHALL WE!

SINCERELY YOURS,

Dr. R. J. Mathe

DR. RICHARD J. NATHE
STEVENSON, WASHINGTON

The U.S. Government claims to be concerned with "Human Rights", using this subject as a lever in bargaining with other nations.

Perhaps the right to "Human Rights" is reserved for Afghans, Central Americans and other non-voting foreigners? It would seem so, since this same U.S. Government, inpart, at least, is attempting to disenfranchise several thousand U.S. citizens who have done nothing wrong.

I refer, of course, to the proposed legislation to make the Columbia Gorge into a National Scenic area. If this proposed legislation were to become law, then be implemented by the U.S. Forest Service's NORMAL policy of acquiring land by "Notice of Taking", then any similarity to "Human Rights" for us Gorge residents is beyond my ability to find !

Sincerely,

John M Jessup. Jr.

[illegible]

Cook WA

538-2109

TUESDAY, SEPTEMBER 7, 1982
Editorials The Oregonian Letters
With all the features of the Oregon Journal

Self-rule surest way to preserve the gorge

By MADGE KEYS

In my opinion

THERE IS A strong and heartfelt view shared by an overwhelming majority who call the Columbia Gorge their home that legislation to create a Columbia Gorge National Scenic Area, as proposed by Oregon's congressional delegation (independent of any support from the Washington delegation), poses a clear threat to their homes, their lifestyle and their economic existence.

Bills have been introduced in the Senate and House to establish such a scenic area encompassing more than 300,000 acres on both sides of the Columbia between the Sandy River and the Maryhill Museum at Goldendale, Wash. A regional commission would be composed of appointees from the six affected counties in both states. But a federal management plan would have final say in what can and cannot be done in the scenic area and all future activity in the area would have to conform to the plan or interim guidelines. Willful violations of the plan would carry maximum penalties of a $10,000 fine and 12 months in jail. Identified critical lands could be acquired by condemnation and the use of scenic easements. Easements could be granted with the consent of the owner if the land is used in an approved manner that did not substantially change the existing character.

In all condemnation cases, the secretary of agriculture would have final judgment, and land exchanges could be authorized. Mitigation for local revenue losses could be determined by the secretary, who could, at his discretion, make payment to a local government entity to the extent that such payments were used to amortize the bonded indebtedness previously incurred by the political subdivision involved or to pay for the cost of providing essential public services.

Concerned citizens in Skamania County have formed the Gorge Defense League to fight what they consider to be a federal abrogation of their economic, social and constitutional rights. Joint congressional hearings on the bill are scheduled for Friday in Hood River.

Criticism of the proposal focuses on several points:

— First, with a proposed gross area of 310,000 acres in the National Scenic Area, S2318 proposes condemnation authority for all identified critical lands, or about 31,000 acres. Over half of these critical lands (16,979 acres) are in Skamania County, with an assessed valuation, including land, timber and improvements, of $200 million. It should be noted, however, that the actual market value of the land is frequently much higher than the assessed value. In one recent transaction, land assessed at $130 an acre actually sold for $8,000 an acre. Skamania County is only one of six counties affected by the proposed legislation but it contains over half of the identified critical lands.

It is feared that the federal plan would prevent orderly growth and economic development in both the short and long terms. Opportunities for timber management are only vaguely mentioned, and logging practices and species involved are not spelled out.

More than 68 existing federal, state, regional, county and local government entities would have to conform to the federal plan.

The scenic area proposals are the first step in adding to local economic disaster, particularly for those dependent upon natural resource development. Unemployment in Skamania County is running at more than 20 percent. Hindering economic growth, as the scenic area would, could also adversely affect local support industries and businesses.

Justifying these fears are past examples of unbridled pressures masquerading as public land managers. Landowners were ill-treated when similar federal management efforts were forced on them.

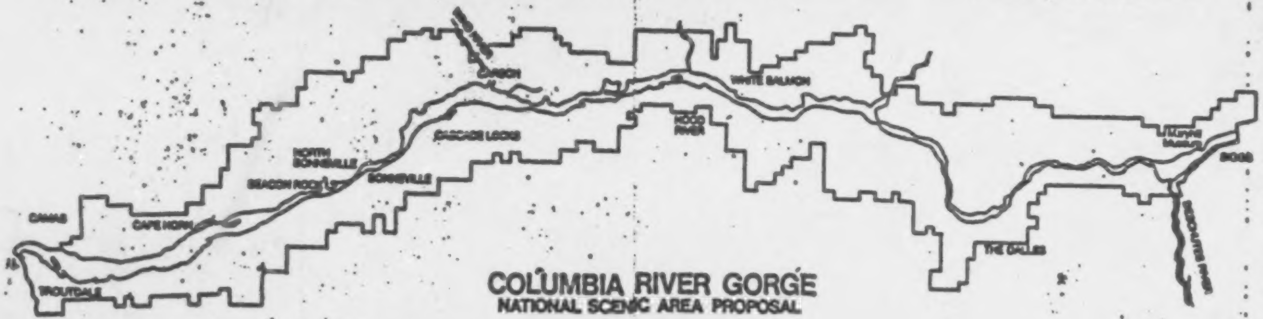
On Nov. 3, 1981, the people of Skamania County voted on a measure placed on the ballot by the county commission to determine citizen attitudes toward control of their property. In that election, 1,747 voted for control, with 121 voting for a federal scenic area and 134 voting for a bistate commission. Moreover, every political subdivision with jurisdiction over identified critical lands supports the people's initiative for local control. Several polls also show that an overwhelming number advocate local control. No Washington congressman or senator co-sponsored the gorge bills.

The beauty of the gorge is testimony to its residents' appreciation of its natural values and their sincerity in wanting to control their own destiny while preserving the special features of the gorge. They view the federal proposals as a threat to their very existence in the gorge.

The American system of justice declares all citizens are innocent until proven guilty beyond reasonable doubt. Gorge residents have not been shown to be unable to protect the gorge through local means.

Local processes have maintained the gorge for a century. They should be allowed to continue.

Madge Keys of Stevenson, Wash., is a longtime resident of the Columbia Gorge and has been involved in gorge-related issues.



COLUMBIA RIVER GORGE
NATIONAL SCENIC AREA PROPOSAL

Community

Paul Macomber, City Editor, 474-3716

Gorge Residents Say They're Ignored in 'Land Grab'

By PAUL FATTIG
Of the Courier Staff

John Fisher and Joe Wrabek are fighting mad.

And they believe other Oregonians, indeed people throughout the nation, should be up in arms over what they call federal land grabs.

"We want people to complain to high heavens at what is an abuse of the Democratic process," Wrabek said. "It is not right for the government to be invading and colonizing its own people. There needs to be substantial public to tell these guys they cannot doing these things."

Fisher is chairman of The Committee To Preserve Property Rights in the Columbia River Gorge; Wrabek is the committee's vice-chairman. The committee includes individuals from 96 communities throughout Oregon and Washington.

Both are property owners in the Cascade Lock area of the Columbia River Gorge. Fisher owns 80 acres and Wrabek four acres of land that may be swallowed up by a bill to create a national scenic area in the gorge.

But they warn that the federal government attempt to take control of their lands to create a national scenic area is but a microcosm of what is occurring nationwide.

Property owners of private land along the Illinois, Rogue, Deschutes and other picturesque rivers throughout Oregon are potential victims of this action, they warn.

"The thing is, the federal government has been acquiring property at three-quarters of a million acres a year for the last 15 years," Fisher said.

And he says past acquisition of private property along the Rogue may be just the beginning. "These things are like a cancer — they expand outwards," Fisher said.

The two are touring Southern Oregon to sound the alarm. The gorge legislation alone calls for 470 square miles and 41,000 people to be included in the scenic area which would fall under the jurisdiction of the federal government.

"What we are trying to do is prevent legislation to establish a national scenic area," Fisher said, "to justify federal acquisition of land, restriction of individual civil rights and the takeover of local government functions by the (U.S.) Forest Service."

Sen. Bob Packwood, R-Oregon, is one of the authors of legislation supporting the action. Hearings are being held in Hood River today.

"We feel that if this legislation is passed, it will set the precedent that any place, simply because it is pretty, can be taken by the government," Fisher said.

"And just because a place is beautiful, just because the people kept it that way, it shouldn't be a reason for taking it from them," he said.

Proponents of the legislation, The Friends of the Columbia Gorge, lobbied Packwood to introduce the bill which failed last year, but is being introduced again this year, Fisher said.

The hearings are a sham, Fisher said, noting that property owners, and local school districts and chambers of commerces aren't being allowed to participate in the hearings.

"The hearings are dominated by environmental special interest groups — the Sierra Club, the Audubon Society," Fisher said.

"These are supposed to be public hearings, but they are designed to produce the results that Senator Packwood wants to justify his legislation," Wrabek added.

Fisher is a laborer in a small lumber firm at Cascade Locks; Wrabek is a self-employed artist and musician and a member of the Cascade Locks city council.

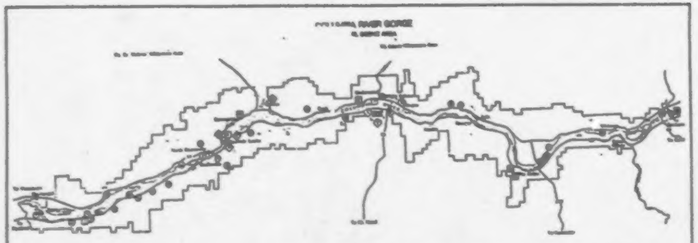
"We represent a cross-section of the local area which is universally against this legislation," Wrabek noted. "We are not being listened to, we are not being consulted."

They note that a county-wide advisory ballot two years ago resulted in 94 percent of the voters stating they wanted to retain local control.

Says Wrabek, "We want to control our own destiny, rather than become a federal colony."

Re[illegible]nts of gorge fighting 'scenic' plan

Senators draw fire for proposals to allow 'taking' of riverside land



Lines along both sides of Columbia River show proposal for designation of national scenic area along gorge. Residents of area are fighting proposal.

By [illegible]
News-Register [illegible]

It is obvious, based on the level of righteous indignation of their traveling representatives, that many residents of Oregon's Columbia Gorge are fighting mad.

They are mad at Oregon's two Republican U.S. senators, Bob Packwood and Mark Hatfield, for their role in proposed legislation to turn more than [illegible] square miles of the gorge into a "national scenic area." They are mad at what they called a denial of their right to testify against the proposal at Sen. Packwood's Feb. 10 public hearing in Hood River.

And finally, they are spreading an alarm statewide, urging all citizens to fight continuing federal acquisition of private lands.

John Fisher, chairman, and Joe Wrabek, vice chairman of The Committee to Preserve Property Rights in the Columbia River Gorge, were in McMinnville Friday as part of their "stump" of the Willamette Valley. Earlier in February, the two men traveled Southern Oregon with their campaign.

At issue is a plan long-pushed by the lobbying group Friends of the Columbia Gorge and others. It would have land on both sides of the Columbia River designated as a national scenic area. A citizen commission of Oregon and Washington residents would create a management plan that would be implemented for protection of lands within the scenic area.

Fisher and Wrabek claim to represent 94 percent of permanent residents along the gorge, who two years ago voted in favor of maintaining local control. They consider the proposal a federal takeover just because "the land is pretty and we have done a good job of maintaining it."

"How would you feel," the two men asked, "if a group of outsiders came in and decided that the Willamette Valley was too pretty to be left in private ownership, and asked Congress to make it a national scenic area. This is the future proposed for the Columbia Gorge, and it would set a dangerous precedent."

Last year, Congress took no action on the Columbia River Gorge Act of 1982. Now that a 1983 public hearing was held in Hood River, said Wrabek, the bill could be resubmitted and approved with no further public comment.

Two proposals put forth

Actually, there are two proposals, and it is the second one – put forth by Sen. Hatfield – that most concerns Fisher and Wrabek. But make no mistake: Neither proposal is to their liking.

Proposal 1 would strictly limit condemnation of property to "10 percent of the total acreage of the area." And further, the proposal states: "No such lands or interests which, on July 1, 1981, were primarily used for single family residential purposes, farming or grazing may be acquired without the consent of the owner as long as the existing character of that use is not substantially changed."

Hatfield joined Packwood in submission of that bill, but the senior senator also proposed an alternative plan for accomplishing the same goal. Proposal 2 has no condemnation limits such as the 10 percent in Proposal 1.

Hatfield's legislation calls for a management plan to "designate appropriate uses of all lands within the area in order to achieve the purposes of the act." It further states that the plan will "allow all existing land uses of specific land in the area as of July 1, 1981, which are found to be consistent with the purposes of this act."

Proposal 2 does state the following as one of the purposes of the act:

"To protect and perpetuate the existing economy of the Columbia River Gorge, including the preservation of existing hydroelectric activities, and agriculture, fishing and timber utilization, and the character of human habitation, in harmony with the existing visual landscape..."

Packwood's hearing draws fire

Although aspects of Hatfield's proposal are most odious to Fisher and Wrabek, it is Packwood who has drawn the most public "heat" because of his Feb. 10 hearing in Hood River.

"Citizens living in the Columbia River Gorge, and even the three Washington state legislators who represent the Washington side of the gorge, were excluded from presenting oral testimony at Sen. Packwood's hearing," said Fisher and Wrabek.

A Feb. 8 letter to Packwood from those three Washington state legislators stated: "This is to protest in the strongest terms possible both the lack of notification by your office ... and the refusal by your staff to schedule a representative of our delegation for oral testimony at that meeting ... We are highly offended by the selectivity evident in the notification process ... We support the area residents in their strong belief that stewardship can most effectively be carried out by those closest to the resource to be managed."

The 17 people allowed to testify Feb. 10, according to Fisher and Wrabek, included four members of the Friends of the Gorge, four representatives of allied wilderness-advocacy groups, and three people who "contributed to a controversial 'study' produced privately for Friends of the Gorge."

A Skamania County commissioner in opposition to the plan was allowed on the schedule at the last minute, they said, and opposition testimony came from the president of Columbia Gorge United: People Opposing Federal Control. Negative testimony also came from representatives of Mid-Columbia Marketing, Pacific Northwest Waterways Association and Mid-Columbia Economic Development District.

Plans cite need for protection

Packwood and Hatfield, in their proposals, describe the Columbia Gorge as "a spectacular canyon of compelling and majestic beauty," and "the historic gateway between the Pacific Ocean and the interior of the North American continent." They say:

"The existing scenic, historic, recreational, archeological and scientific qualities of the Columbia River Gorge are threatened by rapid population growth in the nearby Portland, Oregon-Vancouver, Washington Metropolitan Area, by uncontrolled development, and by the existence of more than 30 local, state and federal jurisdictions and agencies with authority within the Columbia River Gorge."

The proposal admits that "the character of much of the landscape of the Columbia River Gorge has been maintained and enhanced by existing rural communities, which should be protected and maintained."

Both of the proposals call for retention of local control over all incorporated (city) lands along the gorge.

In Oregon's congressional delegation, only U.S. Reps. Denny Smith, R-District 5, and Bob Smith, R-District 4, are siding with the Columbia Gorge residents, said Wrabek.

Federal land acquisitions scored

The federal proposal to take over Columbia Gorge lands, say Fisher and Wrabek, "is a microcosm of what is occurring nationwide."

"The federal government has been acquiring property at three-quarters of a million acres a year for the last 15 years," said Fisher. "Just because a place is beautiful, just because the people kept it that way, it shouldn't be a reason for taking it from them.

"The takeover of private land by the federal government in order to 'save' it from its own citizens," said Fisher, "is bankrupting the country and destroying communities in area after area. It is time to enforce the limitations spelled out in the Constitution of the United States."

Fisher is a laborer in a small lumber firm at Cascade Locks. Wrabek is a self-employed artist and musician, and a member of the Cascade Locks City Council. He has released "A Columbia Gorge Primer," a cartoon booklet about the situation, and has cut a record about the gorge battle.

The two men charged that major media in Portland refuse to tell their side of the story. They are taking that story to newspapers and radio stations of smaller communities throughout Oregon with the hope that citizens will learn about and become involved in their fight to stop the Columbia Gorge from being designated as a national scenic area.

Little Baldy 1927

Chimney Rocks 1927

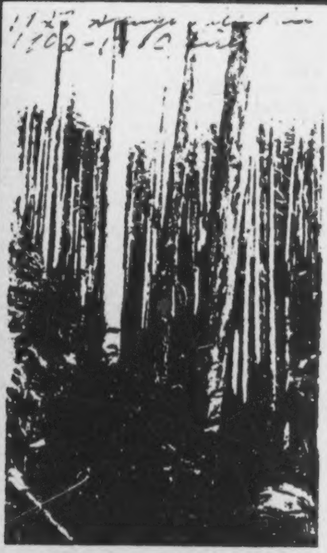
Washougal River

SCENE ON THE
WASHOUGAL RIVER

Silver Star 1927

[illegible] SNAGS

5-27-82



[illegible]

LOOKING NORTH '39

Aug 31-82 Filbert orchard
LOOKING NORTH

[illegible]
LEGISLATION S.2318, S.2319, H.R. 6001 and H.R. 6002

	OREGON	WASHINGTON	TOTAL
tal acres by State in Legislation	141,910	168,090	310,000
signated Use			
Power Line & Gas R/W	870	4,412	5,282
Incorporated Cities	5,473	770	6,243
I-80, SH14, Scenic Hiway	4,190	1,243	5,433
State Parks	3,995	5,394	9,389
Columbia River Acres	26,000	26,115	52,115
Railroad R/W	1,014	1,055	2,069
Public Lands	51,333	14,736	66,069
County Roads	690	695	1,385
SUBTOTAL	93,565	54,420	147,985
Undesignated Private Acres 1/	48,345	113,670	162,015
Condemnation Acres Cap 10% 2/	4,835	11,367	16,202
Legislatively Identified Critical Acres	9,750	21,050	30,800
Excess Acres over 10% in Critical Area	4,915	9,683	14,598

Background information on above 8 points:

. Surveyed from maps using company R/W documents for width - IFA
. From cities of Cascade Locks, Hood River, The Dalles, Bingen, White Salmon & Stevenson
3. State of Oregon and Washington Highway Dept. Does not include surplus or excess lands they also own.
4. State of Oregon and Washington Park Departments.
5. Measured from orthophotos - IFA
6. Estimates from BN and UP railroads.
7. USFS, BLM, Hood River County, DNR, Corps of Engineers. Response to IFA questionnaire.
8. IFA map survey.

1/ Basically private lands.

2/ 10% condemnation cap shown is based on private acres only.
Under S. 2318 and H.R. 6002 the total cap on condemnation acres is 31,000 or the same as the identified critical area.

Source: Industrial Forestry Association
Portland, Oregon
August, 1982

TOTAL ASSESSED VALUATION BY
STATE & COUNTY
IN CRITICAL AREAS IDENTIFIED IN
PROPOSED NATIONAL SCENIC AREA
S.2318, H.R.6002, S.2319, H.R.6001

Washington State	Critical Areas	Land & Improvements	Timber	Total
Clark 1/	2,188	$ 5,262,000	-	$ 5,262,000
Skamania	16,963	41,068,000	$33,390,000	74,458,000
Klickatat	3,738	2,330,000	-	2,330,000
SUBTOTAL	22,889 acres	$48,660,000	$33,390,000	$82,050,000
Oregon State				
Multnomah	3,531	$10,162,000	$ 1,516,000	$11,678,000
Hood River	1,535	868,000	284,000	1,152,000
Wasco	2,622	3,145,000	-	3,145,000
SUBTOTAL	7,688 acres	$14,175,000	$ 1,800,000	$15,975,000
TOTALS	30,577 acres	$62,835,000	$ 35,190,000	$98,025,000

1/ Includes 18.1 acres of City of Washougal

Source: Industrial Forestry Association in cooperation with Washington Forest Protection Association, Associated Oregon Industries and participating industrial forest landowners.

August, 1982

Men, Republicans, and voters 45 years of age and older are more likely to favor the measure. Democrats and residents of Lane County are more likely to oppose it.

Support for and opposition to the measure enters on two areas of argument:

1. Whether State of local governments should control land use planning, and

2. LCDC's performance.

"Why do you favor Ballot Measure Six?".

Favor local control	52%
Dislike LCDC	26%
LCDC hurts jobs	10%
Miscellaneous	2%
Not sure	8%

Proponents favor local control and dislike LCDC.

"Why do you oppose Ballot Measure Six?"

Need State control of land use planning	46%
LCDC does a good job	27%
LCDC protects environment	13%
Miscellaneous	2%
Not sure	12%

Opponents favor State control of land use planning and like LCDC.

This year, concern about jobs and unemployment is a concern of farmore voters than it was is past elections when anti LCDC efforts were mounted. Proponents will have to capitilize on this if they are to be successful.

Ballot Measure Six will pass if a majority of voters are convinced LCDC has hurt efforts to attract new jobs and industry to Oregon.

The protection and preservation of the Columbia Gorge has been a subject of controversy for years. Several Northwest members of Congress have recently introduced Gorge protection legislation.

This month M.O.S.T. asked residents of the Portland Metropolitan area who they felt was best qualified to protect the Gorge.

Women are more likely to believe the State would do the best job protecting the Gorge.

Men are more likely to favor management by the Federal Government than women.

Respondents earning in excess of $25,000 a year are more likely to favor management by private landowners.

"Which do you think would be best to protect the Gorge, management by;

the Federal government,	14%
State governments,	44%
local governments, or	11%
private land owner?	10%
Combinations	4%
Not sure	17%

A majority does not favor management of the Gorge by the Federal Government.

AMERICAN FORESTERS 1900

SOCIETY OF AMERICAN FORESTERS

Professionals advancing the science, technology, practice and teaching of forestry to benefit society

**OREGON SOCIETY
OF
AMERICAN FORESTERS**
Representing the Forestry Profession in Oregon

CHAPTERS
Blue Mountain
Capital
Central Oregon
Columbia Gorge
Coos
John Day
Portland
[illegible]
[illegible]
[illegible]
Tillamook-Clatsop
Umpqua
Willamette

STUDENT CHAPTERS
Central Oregon Community College
Oregon State University
Treasure Valley Community College

August 10, 1982

Dear Chapter Chairman:

The membership vote on the Oregon Society position on the Columbia Gorge has been received and counted. The membership has approved the statement by a large majority with 575 members voting 'yes' and 87 voting 'no'. Several members added comments to these votes which Doug Coyle, Chairman of the Legislative and Policy Committee, has reviewed. These comments are very helpful to him in his work on this committee and he extends his thanks to the members.

Tellers Committee
Ray Craig
Doug Coyle

cr
cc Fred Graf, Oregon Society Chairman

ABOUT THE SOCIETY

The Oregon Society of American Foresters, with about 1900 members, is the local unit of the Society of American Foresters, with about 21,000 members, which is the national organization representing all segments of the forestry profession of the United States including public and private practitioners, researchers, administrators, educators, and forestry students.

Objectives of the Society are to advance the science, technology, teaching, and practice of professional forestry in America, and to use the knowledge and skills of the profession to benefit society.

Gifford Pinchot and six other pioneer foresters established the Society in 1900.

Members subscribe to a code of professional ethics. The Society is the accreditation authority for professional forestry education in the United States. Its periodicals are the *Journal of Forestry*, *Forest Science*, *Southern Journal of Applied Forestry*, and *Proceedings* of the SAF national conventions.

SOCIETY OF AMERICAN FORESTERS

5400 Grosvenor Lane

Bethesda, Maryland 20814

The Oregon Society of American Foresters therefore, takes the position that the States of Oregon and Washington accept the ultimate responsibility for establishing local land use goals, objectives, inventories, and plans which will provide for harmonious management of all the resource values inherent in the Columbia River Gorge and to the mutual benefit of all public, private, and industrial interests. We further suggest the respective States provide for equal representation on the part of all interests concerned in the establishment and administration of these land use goals, and professional foresters must be involved at all stages when considering forest land related values.

*Approved by two-thirds majority vote of the Members of the Oregon Society of American Foresters on July 17, 1982. A position of the Society of American Foresters expires three years after the date of its adoption unless, after thorough review its continuance is approved.

Professionals advancing the science, technology, practice and teaching of forestry to benefit society

OREGON SOCIETY OF AMERICAN FORESTERS
Representing the Forestry Profession in Oregon

CHAPTERS
Blue Mountain
Capital
Central Oregon
Columbia Gorge
Coos
John Day
Portland
Rogue
Santiam-Cascade
Siskiyou
Tillamook-Clatsop
Umpqua
Willamette

STUDENT CHAPTERS
Central Oregon Community College
Oregon State University
Treasure Valley Community College

MANAGEMENT OF THE COLUMBIA RIVER GORGE

A Position of the Oregon Society of American Foresters*

The Oregon Society of American Foresters supports "Forest Policies of the Society of American Foresters, 1981", the purpose of which is to assist the profession in advancing the science, technology, education, and practice of professional Forestry in America. With their skills, foresters are professionally qualified in the management of forest land to provide the variety of goods and services necessary to meet the need of society in general. Professional foresters must be involved at all stages when considering forest land related values.

We are concerned that the current controversy over future management of the Columbia Gorge focuses on scenic values to the exclusion of other resource values. We recognize the Gorge does possess many resource values not the least of which is scenery. The rich variety in scenery has existed for many years because of the vegetative changes due to natural and man-caused fires. As the region developed, further changes occurred as timber stands were harvested for lumber and agriculture. Many of these areas have reforested over time which adds greatly to the current scenic resource in the Gorge as it exists today. With the century drawing to a close, there have been increasing pressures to develop the lands remaining in private ownership for residential and industrial purposes.

Recognition of all the resources and values in the Gorge must be given. These resources include, but are not limited to, scenery, timber, fish, wildlife, agriculture, recreation, water, minerals, energy, culture, and last but certainly not least, transportation. With concern for the management of all these resources vested in the particular interest of many public, private, and industrial organizations, coordination, and local land use planning offers the most promise to resolve the inevitable conflicts that will arise among these interests. The land use decision making process should balance economic, social, and environmental considerations and should encourage active participation by the public. In order to achieve this balance, the values being considered should be inventoried in accordance with the need and intended use. Then through a coordinated local land use planning process the goals and objectives for the Columbia River Gorge should be defined and agreed upon. Professional foresters can provide sound technical advice to planners and feasible alternatives for achieving forest associated goals and objectives.

Viewpoints

Wavefront

National Parks Endangered By Environmental Overkill

by Paula Walling

When I was a child, it was possible to memorize all the national parks. People considered each one extraordinary. In a child's consciousness, these parks represented the Seven Wonders of the World (plus several). There was little doubt in any park visitor's mind why that particular part of the earth was singled out as being special.

As my own years grew in number, so did national parks—and national other things such as seashores, recreation areas, monuments, landmarks, etc. Today it is doubtful whether even the most dedicated Park Service employee could list the parks, let alone the numerous other designations.

I remember the summer we visited Yellowstone National Park and the Grand Tetons. The next time we returned, it was Grand Tetons National Park—but I was never sure *why*. Certainly the stark snow-capped peaks were beautiful, but so were a lot of others. I wondered what it was about the place I was missing, what natural wonder lay hidden in the mountains. I knew nothing of Rockefeller, nothing of the enormous economic ecosystem, the grandious planning process all with the pretense of public input, the Madison Avenue poster and postcard advertising that accompanies national parks.

Not until I was grown and came to our Big Sur doorstep did I begin to have some idea what—other than beauty—makes a park. I learned that parks, for some people, make a great deal of money; that that is the main secret of their proliferation, though not the only secret.

While parks make money for specific individuals and corporations, they are for the average taxpayer an enormous drain. While they may regenerate the spirit of some who visit them, others may have quietly had their lives torn apart and lost everything they cared about so that a seldom used trail or an overused parking lot might be built. While some seek sanctuary in the parks, others find park conditions, particularly in the summer, roughly equivalent to the cities. Overcrowding, violent crime, water and air pollution and safety hazards abound in the national parks. There is a reason for this unfortunate and unnecessary degeneration of the traditional "legitimate" parks: excess. Some of the excess is due to Park Service and large corporate concessionaire advertising. Such unbridled advertising invites overcrowding. But the main problem with the old parks, the legitimate ones, such as Yellowstone, Yosemite, Grand Canyon is that the environmental movement itself has spawned so many new parks that the system cannot adequately take care of its original ones.

Private land acquisition has for over 20 years had priority over public land maintenance. The result for the older parks has been devastating. No park legislation ought to be passed on any level of government unless proper maintenance funding is written in at the same time.

Land acquisition policy has been as detrimental to the country's economy as it has to rural American culture. As Kenny Melville, Sr., put it: "We're park poor *now*!" Melville is the 83-year-old Big Sur miner who became something of an overnight local folk hero when it appeared the forest service intended to burn the best of the cabins on his mining claim (a claim which has been in litigation since 1933).

"Disposable" Environmentalism

It should soon become clear to any self-respecting environmentalist that the loss of a home in such a totally unsalvageable manner is in itself an environmentally unsound practice, that obviously the person whose home is so destroyed will require further use of the earth's resources to rebuild one elsewhere. This archaic, myopic, misguided brand of "environmentalism" is thankfully being reevaluated by the Reagan administration. The practice is sure to be found wanting. Tens of thousands of homes have been destroyed in this way in the last quarter century, and the practice has particularly escalated during the last decade. The mood of the 80s is clearly not receptive to this kind of abuse and waste. We cannot afford this "disposable" brand of environmentalism to endure.

Environmentalists are going to have to learn to recycle something more substantial than bottles and cans or they will soon lose credibility even among their own membership—particularly if they continue to advocate large scale land acquisition by federal and state agencies, land acquisition which inevitably results in the needless dismantling and/or burning of perfectly fine homes. For aside from the environmental hypocrisy of recycling everything under the sun while sacrificing highly valuable building materials, serious human rights issues have surfaced. Constitutional rights are allegedly being violated in federal park and forest areas. Some people who live in such areas even feel that they are not even protected from "cruel and unusual punishment."

While coastal residents may opposed Secretary Watt's reevaluation of oil leasing, they may regard his reevaluation of land acquisition policy as environmentally sound. Cutting and redirecting acquisition funds seems to be the only way citizens can afford to preserve the long-established parks. Maintenance of these treasures will certainly be impossible if 90 percent of park and forest service funds continue to go toward buying and destroying homes.

The Skamania County Pioneer
CIRCULATES IN THE HEART OF THE SCENIC COLUMBIA GORGE
FRIDAY, MARCH 6, 1981
STEVENSON, WASHINGTON

Scares Residents

Inholders Representative Tells Fate Of Communities

By Katy Tichenor,

The eyes of the crowd never left the face of Charles Cushman, founder of the National Park Inholders Association, while he told them stories of what the United States Park Service had done to other communities and could do to them.

"When the federal government comes into an area it creates a pall of fear," Cushman told over 100 persons at the Rock Creek Community Center in Stevenson Monday night.

"That fear depresses people. It drives them out."

But Cushman seemed to be planting his own seeds of fear.

"That meeting scared me to death," said one woman the following day.

She was scared because Cushman brought with him stories of people losing their homes and lands to the National Park Service (NPS). Cushman warned the crowd the same could happen in the Columbia Gorge.

Friends of the Columbia Gorge (FCG), an organization headed by Multnomah County Executive Don Clark, is working to protect the scenic beauty of the Columbia Gorge by designating the gorge a National Scenic Area (NSA).

Members of FCG point out a national scenic area is not a national park, but the group proposes the National Park Service be the lead agency in the scenic area plan.

Cushman said a National Scenic Area is just another name for a national park system.

"If someone gives you an orange and that orange smells and tastes like an orange and if that person tells you it is not an orange, but an apple, are you going to believe him?" Cushman asked the crowd.

"The National Scenic Area is an orange they say is an apple."

Cushman, who owns land near Yosemite Valley in California, said he got a bite of that NPS orange in the late '70's.

The director of NPS told residents of Yosemite National Park they could not modify their property in any way, or build on undeveloped lots.

As a result one 76-year-old man was told by the park service he could not build a bathroom on his house, or his house would be condemned.

Two weeks later the NPS made a deal with him. They told him he could sell his house to them, build the bathroom and lease the house from them the rest of his life. He did.

That and similar instances prompted Cushman to form a group to protect the rights of persons who own property within a federally managed area, or who are affected adversely by the management of that area.

What started as "an attic" project, NIA has turned into a full-time job for Cushman who has fought inholder battles in parks all over the United States.

Because the NPS continues to abuse the civil rights of inholders and ignores their pleas for justice, Cushman said NIA is battling the formation of parks themselves.

"Heavens yes I think there should be parks," said Cushman, "but in everything there has to be balance."

A small community in Big Sur, California and NIA recently won a battle to prevent a national park there.

Cushman said local communities can win here too, and said he believes there is a real threat here in the Columbia Gorge.

When an area is genuinely threatened with implications of federal management, a pattern develops, Cushman said. That pattern is developing here.

He compared the pattern developing in the gorge to the pattern that developed in Big Sur.

First, he said, a well meaning environmentalist gets concerned about an area. In the Columbia Gorge Cushman named Chuck Williams, founder of the Columbia Gorge Coalition and member of FCG, as that well meaning environmentalist. In Big Sur it was Ansel Adams, nationally famous photographer.

Cushman said the environmentalists mix with a local politician who wants to use the issue as a means of getting to higher office. In the gorge Cushman said the politician is Multnomah County Executive Don Clark. In Big Sur it was former Coastal Commissioner and State Senator Fred Farr and others, he said.

The mixture of environmentalists and politicians creates a political aura that pressures political decision makers into establishing federal management in an area.

"I can tell you I know the National Park Service doesn't want this area," said Cushman about the Columbia Gorge.

But Cushman said the political pressure will force politicians to create a federally managed system in the gorge.

"If you don't solve the problem it will be solved for you," Cushman told the attentive crowd. "Eventually emotional hysteria is going to be built up in Vancouver, Portland and Seattle. Do you doubt you don't have the political clout to combat that?"

Cushman told the crowd how they could begin their fight against "emotional hysteria" begun by Clark's group.

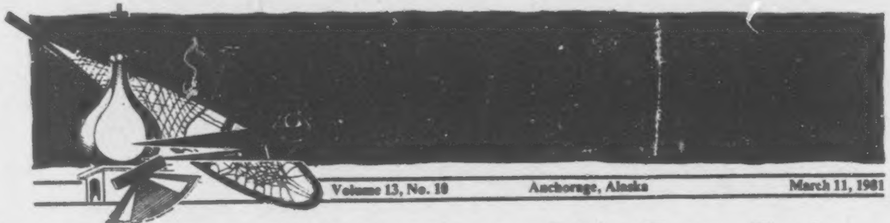
"You need to work and give support to local county executives. You mention zoning here and people start talking about lynching Callahan (Ed Callahan, Skamania County Commissioner)."

He said a major crisis in threatened areas is the isolation mentality of the people there. People don't want anyone imposing limits on them as property owners.

Cushman said a mass media campaign for the gorge has to be developed. The local people in the gorge need to begin educating people in Portland, Seattle and Vancouver, he said.

Over 79,000 families have lost their homes to the National Park Service, said Cushman, bringing a murmer from the crowd.

"You don't want to be simply anti-managerial, but you want to be pro local government, or they will take it (the gorge) away from you."



Volume 13, No. 10 Anchorage, Alaska March 11, 1981

State Senate Bill 36 to Protect Us From Feds

by Kitty Fuerstenau

For some time it has seemed that the old saying that "everybody has to answer to somebody" didn't apply to the members of the National Park Service, the National Forest Service, the Department of Interior, etc., etc., etc. . .

A bill now before the Alaska Senate (Senate Bill No. 36) was introduced in early February by Senator Bettye Fahrenkamp and Senator Don Bennett, both of Fairbanks, which would put an end to the arbitrary, iron-fisted rule of the federal greenies.

The bill calls for the establishment of a Citizen's Advisory Commission on federal management areas in Alaska, a group made up of 16 members who would review the rules and regulations being enforced on federal lands, be they parks, monuments, forests, recreation areas, refuges or whatever.

The problem has arisen over the almost-dictatorial powers granted to the ruling forester of each of these types of land, the misuse of those powers, and the arbitrary nature with which they are administered.

Complaints have come in from miners, trappers, and other inholders from all over the state. Somehow these complaints tend to get lost or mislaid along the way, or if they are heard are chalked up as being from the mouths of misanthrops, cranks or cretins.

Presumably, someone who complains about the administration of parks or forests in Alaska hates animals and is totally lacking in any appreciation of the outdoors. It has to be protected from the people.

The fact that complaints have come from every corner of the state, from people of all ages, from those in all walks of life, and almost every degree of conservatism or environmentalism has little sway over the actions of the feds.

The entire town of Skagway is strangling under laws imposed since it and the lands around it were made a national historical park. Lands which had traditionally been used for collecting beach wood were declared off-limits, roads have been closed and historical buildings have, rather than being restored to gold rush elegance, have been turned into apartments of subsidized housing for park personnel, and local people have been refused permission to remodel or improve existing buildings which they own.

Those who complain are threatened with condemnation of their property.

Chuck Cushman, president of the National Inholders Association made a recent swing through the state urging adoption of the bill. Cushman and his group represent people who own or use land within federally administered areas. Pointing to the successful implementation of a similar citizens' committee to monitor federal activities in the Voyagers National Park in Minnesota, Cushman urged Alaskans to take similar action to protect themselves and their rights to the use of lands within the state.

The Voyagers Park became the center of a bitter battle between park officials and inholders until the establishment of the commission. Problems now have been reduced to a minimum, and both sides seem content with decisions that are made.

The Alaskan commission, as proposed, would seat 16 members. Eight of them would be appointed by the governor, two by the speaker of the house of representatives choosing from house members, the president of the senate choosing from senate members, and two members who are residents of the state.

The members appointed by the governor and those two chosen by the president of the senate who are state residents are ordered to be broadly representative of land users throughout the state.

Members appointed by the governor are chosen for a four-year term, while members chosen from the legislature will serve for their terms of office as legislators. Those residents appointed by the president of the senate or the speaker of the house serve a two-year term.

The o on would review not only federal policies, but also those practiced in state management areas as well.

After reviewing any matters of policy concern brought up by people of the state, the commission's recommendations will be made to state or federal agencies involved and become a part of the legislative reference library.

The commission's real power comes in its ability to request the attorney general to file suit against any federal official or agency if the commission feels that the official or agency is acting in violation of an Act of Congress, congressional intent or the best interests of the state of Alaska.

A commission with those kinds of power, representative of all Alaskans and Alaskan interests would be able to force federal officials into more responsible, more responsive actions within their "domains."

It might also mean the beginning of an era in which feds recognize that they are merely administering lands which belong to all of the people, and are not the owners of those lands.

It is time that Alaskans were dealt a fair hand in relation to the lands on which we live and work. The commission, with representatives from all segments of our population, could be an effective tool in making our lands *our* lands, giving back the things which we need to make our homes and lives here.

The commission could be our voice to the rest of the nation telling that we are tired of living in a land which is off-limits to us, on which it is virtually impossible to develop and grow.

Perhaps the commission could restore us to first-class citizenship.

REALTOR®

OREGON ASSOCIATION OF REALTORS®
Executive Offices:
694 Church St. N.E.
P.O. Box 351, Salem, Oregon 97308
Telephone (503) 362-3645
1-800-452-9115

WHEREAS, the Oregon Association of Realtors feels that the position statement of the Washington Association of Realtors relative to federal control of the Columbia River Gorge is appropriate, OAR adopts the following resolution regarding the Gorge:

Land use control in the Columbia River Gorge should be left up to the existing state and local authorities who can assess the needs of local citizens and property owners. Private property owners can best be represented at the local level.

The need for federal control has not been justified by the proponents of the legislation.

By failing to recognize the need for a timely link between authorization and appropriation, Congress and the administration have a virtual blank check to idenfity lands for purchase regardless of their national value and the impact on the private property owner.

The constitutional rights of private property owners must not be infringed upon. An indirect condemnation of private land is often the result of current acquisition and land use policies. From the private property owners' perspective, present and future uses and values are frequently greatly diminished with no prospect of compensation forthcoming.

Practical hardships are often placed on property owners who are placed in "limbo" of being subject to total federal control but not actually purchased. If the owner desires to sell his/her properrty already identified for eventual acquisition and the government will not promptly acquire and compensate on a timely basis for whatever reasons, the property owners suffer real economic and personal hardships may continue over a long period of time.

The committee further recommends that the background information from the Washington Association of Realtors be placed in OAR's records as supporting documents for OAR's position.

REALTOR®—is a registered mark which identifies a professional in real estate who subscribes to a strict Code of Ethics as a member of the NATIONAL ASSOCIATION OF REALTORS.

Senator **Hatfield**. While the next panel is coming to the platform, I want to thank this panel for its presentation this morning.

Mr. **Bishoprick**. Senator, I want to make just a little announcement. The lady, Gertrude Jensen, just walked in.

Senator **Hatfield**. Yes, I know. I was just about ready to introduce her.

While Ms. Durning is coming to the platform, and Mr. Monteith, Mr. Munro, Mr. Henderson, and Ms. Lynn Herring, many years ago I became acquainted—probably about 30 years ago—with a lady who was sort of the embodiment of the protection of the gorge. The love that she had for the gorge was expressed in so many ways by her leadership. She has received the highest distinction that can be awarded by the Department of Interior in Washington for her work, by the National Geographic Society, and by many other national organizations.

But, more than that, she is a woman who has been greatly loved by her fellow citizens and fellow Oregonians. So, at this time, I would like to present a lady who has come from a sick bed just to be here, to demonstrate her interest in the gorge today, as she has for the last many years.

Gertrude Jensen.

[Applause.]

Senator **Hatfield**. Ladies and gentlemen, Mrs. Jensen wants to say a couple of words here.

STATEMENT OF GERTRUDE JENSEN, OREGON AND WASHINGTON COLUMBIA RIVER GORGE COMMISSIONS

Mrs. **Jensen**. Thank you, Senator Hatfield, for setting this up. It is a very appropriate followup to the cooperation and unity demonstrated by Governors Atiyeh and Spellman.

I also want to commend those who have demonstration interest, of those attending the gorge, the full gorge, and its many considerations.

I want particularly to thank the Oregon and Washington Commissions for their dedication and their recent accomplishments in the public interest; and, their director, Jeff Breckel.

I'd say a Columbia gorge authority as envisioned by Sam Boardman, the first director of the Oregon State Parks Division, a Columbia Gorge authority, both commissions to function as they are, a Columbia Gorge authority of three people—Roy Kraft of Skamania County, the current editor and owner of the Skamania County Pioneer; Dick Worthington, past district chief of the Forest Service; and, Dave Talbot of the State Parks Department of the State of Oregon. That authority to meet four times a year, any problems of the gorge commission to be taken before them for consideration.

You know, I have given 30 years of my life to the conservation of the Columbia Gorge. I was chairman of the Columbia River Gorge Commission on the Oregon side for 16 years, and was instrumental in establishing the Washington Commission. Over 3,000 acres were acquired through exchange. Not one acre was condemned. That was done through this exchange program which was discontinued in 1970.

I say put this exchange program in effect on the Washington side on a voluntary basis, and get the job done.

Thank you.

[Applause.]

Senator HATFIELD. Ms. Durning.

STATEMENT OF JEAN C. DURNING, NORTHWEST REPRESENTATIVE, THE WILDERNESS SOCIETY

Ms. DURNING. Thank you, Senator. I'm Jean Durning, northwest regional director for the Wilderness Society.

The Wilderness Society is a national organization dedicated to principles of sound and balanced multiple-use management of the Nation's forests, refuges, parks, and rangelands; to the protection of the unique values of our remaining public wildlands; and, to broadening awareness of man's relationship with the natural environment.

The Wilderness Society has nearly 4,000 members in the two States that border the Columbia Gorge.

I appreciate the opportunity to testify on S. 627, the Columbia River Gorge Act of 1983. The spectacular gorge must be preserved for future generations of the Northwest and of the Nation. From Stonehenge and the Deschutes on the east, through Cottonwood Beach and the Sandy River on the west, the gorge is clearly a region of national significance. Its spectacular scenery ranks with that in America's great national parks. Its role in U.S. history is epitomized in the final days of Lewis and Clark's epochal journey which opened the eyes of our young Nation to what soon was called manifest destiny.

The need for the preservation of the Columbia River Gorge has been the focus of political attention in Oregon and Washington for over 40 years; but, all those decades of studies and commission work have not produced protection for the—adequate protection for the gorge.

The Wilderness Society commends Senator Packwood and yourself, Senator Hatfield, for the leadership you have shown in introducing S. 627, which finally would provide the needed protection.

The Wilderness Society would prefer National Park Service management in the Columbia Gorge, for instance, through designation as a National Recreation Area, in order to provide the best possible protection for the scenic, botanic, and natural values in these lands. As Park Service management does not seem likely to be enacted, however, we generally accept the compromise reached in S. 627.

Some provisions in this bill are absolutely essential. Some are acceptable compromises. There are some provisions that should be strengthened.

We appreciate the work that Governor Spellman and Governor Atiyeh have done. We appreciate their commitment to protecting the gorge that's evidenced in a number of the principles for legislation they recently announced. There are, however, some very clear deficiencies in that proposal.

Their principles seem to be interpreted somewhat differently in various oral statements, so I have confined my comments to their outline, listed principles.

We agree with the Governors that the management entity and the plan must consider the gorge one indivisible unit, and that the plan must include a full commitment to preserve and protect the natural and scenic beauty of the gorge.

We agree with their call for extensive public review and comment before adoption of the plan.

We agree that the plan must be binding on all governments with management responsibility in the area; that enforcement authority and appeals process, some financial support, and acquisition authority must be provided.

We strongly disagree, however, on the management agency for the gorge. We find their proposed bi-State commission so unwieldly as to probably be unworkable; particularly, requiring a majority of votes from each state would allow five members veto power over the other 18.

We find no reason for the Federal representation to include the Corps of Engineers or the Bonneville Power Authority, neither of which is a scenic or a nature protection agency in a body dedicated to the preservation of the land on the two sides of the river.

Indeed, there is no indication that any members of their bi-State commission would have experience or dedication to protection of the natural and scenic resource.

Senator Packwood and yourself in this S. 627 rightly recognize that administration of the national scenic area must be under a single authority. The reason the Columbia Gorge Act is needed is the historic inability of local or State governments or the previous commissions to protect the values of the gorge. Public participation and local government advice are necessary, but final authority must rest with a single agency. We would prefer the National Park Service, but we accept the compromise of giving administrative authority to the Forest Service, as long as the act adequately prescribes management goals for preserving the natural qualities of the gorge. The Forest Service has the requisite experience to manage the gorge for recreation and preservation, as long as congressional direction is specific.

The Federal agency must have the final responsibility for the management plan after consultation and advice of local authorities.

Let me quickly point out a couple of other important points that we find——

Senator **Hatfield**. One other point.

Ms. **Durning**. One, OK.

The requirement for condemnation is necessary only as a last resort, and particularly for the setting of prices, when that is in dispute, between a willing seller and buyer.

There are other points in the testimony.

Senator **Hatfield**. We'll include your full statement. Ms. Durning.

Ms. **Durning**. All right. I would also like to point out that I have given you copies of an article from the Natural History magazine that talks about a national park system in France where communities and local residents are built into part of the tourist economy. I think that might be a source of useful information or suggestions for the gorge.

Senator **Hatfield**. Thank you.

[The prepared statement of Ms. Durning follows:]

THE WILDERNESS SOCIETY

Northwest Representative
(206) 624-6430

1424 Fourth Avenue, Room 622
Seattle, Washington 98101

Statement of Jean C. Durning before the hearing of the Subcommittee on Public Lands and Reserved Water of the Senate Energy Committee on legislation to establish a Columbia Gorge National Scenic Area. Portland, Oregon, March 25, 1983

I am Jean Durning, Northwest Regional Director of The Wilderness Society. The Wilderness Society is a national organization dedicated to principles of sound and balanced multiple use management of the nation's forest, refuge, park and range lands, to the protection of the unique values of our remaining public wild lands, and to broadening awareness of man's relationship with the natural environment.

I appreciate the opportunity to testify on S. 627, The Columbia River Gorge Act of 1983. The spectacular Columbia Gorge must be preserved for future generations of the Northwest and of the nation. From Stonehenge and the Deschutes on the east, through Cottonwood Beach and Sandy River on the west, the Gorge is clearly a region of national significance. Its spectacular scenery ranks with that in America's great national parks. Its role in United States history is epitomized in the final days of Lewis and Clark's epochal journey, which opened the eyes of the young nation to what soon was called "manifest destiny."

The need for preservation of the Columbia River Gorge has been the focus of political attention in Oregon and Washington for over 40 years, but all those decades of studies and commissions have not produced protection for the Gorge. The Wilderness Society commends Senator Packwood and Senator Hatfield for their leadership in introducing S. 627, which would finally provide the needed protection.

The Wilderness Society would prefer National Park Service management in the Columbia Gorge, for instance through designation as a National Recreation Area, in order to provide best possible protection for the scenic, botanic and natural values of these lands. As Park Service management does not seem likely to be enacted, however, we generally accept the compromise reached in S. 627. Some provisions in this bill are absolutely essential; some are acceptable compromises; some provisions should be strengthened.

We appreciate the work of Govenor Spellman and Governor Atiyeh for the committment to protecting the Gorge evidenced in a number of the principles for legislation they recently announced. There are, however, some very clear deficiencies in that proposal. (Since these principles seem to be interpreted somewhat differently in various oral explanations, my comments are restricted to the written outline listing these principles.) We agree with the Governors that the management entity and the plan must consider the Gorge one indivisible unit and that the plan must include a full commitment to preserve and protect the natural and scenic beauty of the Gorge. We agree with their call for extensive public review and comment before adoption of the plan. We agree that the plan must be binding on all governments with management responsibility in the area, that enforcement authority, an appeals process, some financial support and acquisition authority must be provided.

We strongly disagree, however on the management agency for the Gorge. We find their proposed bi-state commission so unwieldy as to be unworkable. Requiring a majority of votes from each state, for example, would allow five members a veto power over the other 18. We find no reason for Federal representation to include the Corps of Engineers or the Bonneville Power Authority, neither of which is a scenic or nature protection agency, in a body dedicated to preservation of the land on two sides of the river. Indeed there is no indication that any members of the bi-state commission would have experience or dedication to protection of this natural and scenic resource.

Senator Packwood, in S.627, rightly recognizes that administration of the National Scenic Area must be under a single authority. The reason the Columbia Gorge Act is needed is the historic inability of local or state governments or the previous commission to protect the values of the Gorge. Public participation and local government advice are necessary, but final authority must rest with a single agency. We would prefer the National Park Service as that agency. But we accept the compromise of giving administrative authority to the Forest Service, as long as the Act adequately prescribes management goals for preserving the natural qualities of the Gorge. The Forest Service has the requisite experience to manage the Gorge for recreation and preservation if Congressional direction is specific. The federal agency must have final responsibility for the management plan, after consultation and advice of local authorities and the public. A regional commission that is advisory to the Forest Service is completely appropriate for facilitating local public participation. The Commission should represent broad national and regional interests as well as local interests. It should be appointed expeditiously and meet regularly. Its duties should be expressly defined in the Act, as in Section 4(b) (2) of S. 627.

The Columbia River Gorge Act includes important other provisions missing from the Governors' proposal. Both provide for acquisition of critical lands if necessary. But the Governors wish the Federal government to provide the funding for that acquisition, despite the lack of Federal management in their plan. It seems doubtful that such a request would meet with Congressional approval.

Of crucial importance, S.627 provides for limited condemnation of lands if needed. Condemnation could not be used for more than 10% of the land in the critical zone of the Gorge, a limitation which is acceptable to us. Though it would seldom be used, this authority is absolutely necessary as a last resort. It is one means of making the plan enforceable. An important use of condemnation authority is to allow a court to set the price when there is a willing seller but a disagreement over price.

In one important matter, the Columbia River Gorge Act must be strengthened. Strong protection must be afforded to the Columbia's tributaries flowing into the Gorge: the Klickitat, White Salmon, Little White Salmon and Wind Rivers. These tributaries are critical for fisheries and spawning grounds, particularly crucial to the restoration of native salmon and steelhead runs on the Columbia since they lie below most of the great dam system. Protection of these tributary rivers should be provided at the same time as protection of the main corridor of the Gorge. Designation as wild and scenic rivers would be appropriate for each of these tributaries. At a minimum, Congress should mandate that they be studied for wild and scenic status.

There is one more topic I need to address. Compatible economic pursuits in the National Scenic Area should be those which would have no adverse impact on environmental quality of the area, including visual, air, water and soil quality and plant and animal life. It would be appropriate for governmental or private assistance to be provided local residents for training and minimum standards of services that would enhance the purposes of the Gorge National Scenic Area; for example, a system of tourist accomodations in private homes for non-camping visitors or hikers. I am submitting for the record an article by Joseph Sax on national parks in France that take advantage of local settlements for that sort of tourist business. It provides a suggestion of a different approach that could be of interest to chambers of commerce and others concerned with the economy, as well as the beauty, of the Gorge.

On behalf of The Wilderness Society, I commend you for your efforts to protect this matchless area. With the addition of the tributaries, S.627 would be an acceptable compromise to preserve the spectacular Columbia River Gorge for Americans and all the world for generations to come.

Senator HATFIELD. Mr. Monteith.

STATEMENT OF JAMES MONTEITH, EXECUTIVE DIRECTOR, OREGON NATURAL RESOURCES COUNCIL

Mr. MONTEITH. Senator Hatfield, my name is James Monteith and I am the executive director of the Oregon Natural Resources Council. I want to apologize that I do not have copies of my statement. Our infamous computer broke down, and I'm reading this from a draft. I'll submit it on Monday.

The council is in its 11th year. We were formerly known as the Oregon Wilderness Coalition. We now have 90 conservation, sportsman, commercial, education, and outdoor recreation oganizations, and about 2,000 individual members across the State of Oregon. We're here today to give our qualified support for the bill.

Other people here will talk or have talked about the unique values of the gorge. We would like to limit our remarks to the legislation itself.

There's no question that strong Federal action is necessary to protect the varied and outstanding natural values of the Columbia River Gorge. The States of Oregon and Washington have tried to manage the gorge, but they have not been successful.

It's our view that the complexity of the issues and the nature of the problems make it impossible to coordinate this effort without a single authority.

We're at a crossroads. Do we maintain the same pattern of uncoordinated management and mismanagement? Or, do we choose a coordinated effort which includes strong local input, and yet has a mechanism for protecting the gorge as a single entity? We certainly support the latter approach.

While we support the concepts embodied in S. 627, we do believe that certain changes are necessary, both procedural and substantive, to meet the goals of the legislation.

First, the bill calls for management of the area by the U.S. Forest Service. We've had long experience with the Forest Service management of Hells Canyon and the Oregon Dunes National Recreation Areas. NRA management is not nearly as complex as that which would be required for a national scenic area.

In our opinion, the Forest Service has not been able to successfully manage the two national recreation areas. Time after time, they have sought to subvert the intent of the legislation to continue serving the special interests which are supposed to be curbed by national recreation area status.

We believe a much more capable Federal agency to assume the extremely difficult and complex job of managing the gorge would be the National Park Service. The Park Service has a longer history and a superior history experience in managing people and resources than does the Forest Service. However, like the Wilderness Society, we would accept Forest Service management. But, we do think it is a severe compromise in itself.

Second, the bill as drafted would allow the cities located in the gorge to continue to expand. While we have no objection to excluding the affected citizens from the national scenic area, we do believe that to allow unlimited expansion of these cities would be contrary to the purposes of the legislation.

Third, we believe strongly that the native American people need to be much more strongly represented in the process. The governments of these original inhabitants of the gorge certainly deserve a place on the commission; and, I think as they pointed out earlier, even that perhaps is a status that is lower than they deserve. Perhaps each of the tribes itself, rather than the Intertribal Fish Commission alone, should have a position on the commission.

Fourth, we believe that Congress should establish certain substantive standards to execute the development of the gorge plan. For example, we believe that all Federal forest lands in the area should be placed in an unprogramed timber harvest category. This would not preclude timber harvest, but it would not require the Forest Service to meet a certain allowable cut in the gorge. We think that's very important.

We believe that all Federal lands should be withdrawn from location and leasing under the mining laws of the United States. We believe that hydroelectric developments on all tributary creeks and rivers in the scenic area should be prohibited. The programed harvest of timber, the mining of minerals, and damming of streams is certainly not within the intent of preserving the gorge.

Fifth, the Wind, Little White Salmon, Klickitat, Lower Deschutes, and Lower Sandy Rivers should be added to the Federal Wild and Scenic Rivers System. These major tributaries to the Columbia are an integral part of the gorge's outstanding scenery. They are also absolutely critical spawning and rearing areas for the Columbia salmon and steelhead fishery.

Senator, I want to thank you for holding the hearings, and for providing this opportunity for us to comment on the legislation. Thank you.

Senator HATFIELD. Thank you, Mr. Montieth. Good timing.

Mr. Munro.

STATEMENT OF GLEN STREAM, PRESIDENT, OREGON DIVISION, IZAAK WALTON LEAGUE OF AMERICA, INC.

Mr. STREAM. Senator, my name is Glen Stream, president of the Oregon Division of the Izaak Walton League. I am substituting for Rod Munro.

The Izaak Walton League of America is an organization strongly rooted in rural America, and has long recognized both the rights and the stewardship responsibilities of private landowners. The league also believes that the Federal Government should recognize the national interest in preserving and protecting selected large and important landscape units that are mostly in private ownership, such as the New Jersey Pine Barrens, Jackson Hole, the Tall Grass Prairie, and the Columbia River Gorge.

The Federal Government should help to protect such nationally significant landscapes where the task is beyond the capabilities of local and/or State governments acting alone. Protection mechanisms should respect both traditional use patterns of the land and the rights of those who have, to date, been its faithful stewards.

In 1981, at the league's national convention in Syracuse, N.Y., the following resolution, urging a national scenic area status for the Columbia River Gorge, was passed—and, I will only summarize this.

By any standards, the gorge of the Columbia River between the States of Oregon and Washington is an outstanding scenic area of undeniable national significance. It encompasses many highly significant geologic features, such as Multnomah and numerous other waterfalls, lava flows, volcanoes, and evidence of the Missoula Flood, the greatest flood in the known geologic history of the Earth. There are about 800 plant species, including 58 that are rare or endangered, and nine that are found in the gorge.

Within the gorge there are about 50 separate local, State, and Federal agencies attempting to manage separate parcels or functions. Historically, most have had good intentions to protect the scenic grandeur and the natural and historic values. But, some agencies have been lax; others have worked at cross-purposes.

A reliable mechanism for insuring that development is in harmony with long-range protection of gorge scenic, natural, and historic values must be established, and soon.

In 1979, the national Izaak Walton League of America urged the establishment of a system of national scenic areas to provide for private, local, State, and Federal management of both commodity and noncommodity uses in qualifying areas in a manner that would be compatible with protection of scenic values. The Columbia Gorge was mentioned as one example.

In 1980, a National Park Service report recommended a somewhat similar solution. In 1981, the Friends of the Columbia Gorge concluded that the National Scenic Area option was the best for the gorge.

The Izaak Walton League urges the Governors of Oregon and Washington, the entire congressional delegation of both States, and county governments affected, to unite in a campaign to promptly establish a National Scenic Area in the gorge that would blend the best features of private and public management, and result in coordinated economic development that protects the scenic, natural, and historic values; and, that the Forest Service, U.S. Department of Agriculture, because of its long history of protection of scenic, historic, and natural values in the gorge, and demonstrated expertise in multiple-use management, be designated as the lead agency.

I thank you, Senator, on behalf of the Oregon Division, Izaak Walton League, for being able to testify here.

Senator HATFIELD. Thank you, Mr. Stream.

[The prepared statement of Mr. Stream follows:]

OREGON DIVISION

Izaak Walton League of America, Inc.

DEFENDER OF SOIL, WOODS, WATERS AND WILDLIFE

STATE OFFICERS

Glen Strawn
President
7300 S.W. 82nd Ave
Portland, OR 97223

Steve Moon
Vice President
6845 S.W. 34th Ave
Portland, OR 97219

Edgar H. Olsen
Secretary
6607 N.E. Hancock Dr.
Portland, OR 97220

Ralph E. Bergstrom
Treasurer
Timber Rt., Box 178
Vernonia, OR 97064

Dr. Larry Bean
Executive Secretary
11730 S.E. McLoughlin Blvd.
Milwaukie, OR 97222

REGIONAL DIRECTORS

Jim A. Grady (Region 1)
1130 S.W. Morrison
Portland, OR 97205

Mildred Reimer (Region 2)
2133 Douglas Street
Forest Grove, OR 97116

Jim Ellison (Region 4)
P.O. Box 638
Roseburg, OR 97470

Mike McLean (Region 5)
P.O. Box 148
Maupin, OR 97037

Loren Hughes (Region 6)
1108 Adams
La Grande, OR 97850

John C. Grant (Region 7)
P.O. Box 803
Burns, OR 97720

EXECUTIVE COMMITTEE

STATE OFFICERS and –

Dyas W. Rawlings
Past President
1626 N.E. 82nd Avenue
Portland, OR 97220

Jim Ellison
P.O. Box 420
Roseburg, OR 97470

Wendell Haley
1640 N.E. 82nd Avenue
Portland, OR 97220

Larry Kauffman
P.O. Box 640
Waldport, OR 97394

Roderick J. Moore
3300 S.W. Ridgewood Road
Portland, OR 97225

Oscar R. Thompson
1666 Wilson
Eugene, OR 97402

REGIONAL GOVERNOR

Dyas Rawlings
1626 N.E. 82nd Avenue
Portland, OR 97220

NATIONAL DIRECTORS

L.C. (Jack) Binford
Past National President
1601 N.E. 70th Avenue
Portland, OR 97213

Wendell Haley
1640 N.E. 82nd Avenue
Portland, OR 97220

Glen E. Strawn
President
7300 S.W. 82nd Ave.
Portland, OR 97223

STATEMENT OF THE OREGON DIVISION

IZAAK WALTON LEAGUE OF AMERICA, INCORPORATED

FOR INCLUSION IN THE HEARING OF

SENATE COMMITTEE

ON

PUBLIC LANDS AND RESERVED WATER SUB-COMMITTEE

OF THE

THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

PERTAINING TO

THE COLUMBIA RIVER GORGE ACT OF 1983

S. 627

BONNEVILLE POWER ADMINISTRATION BUILDING

AUDITORIUM

PORTLAND, OREGON

MARCH 25, 1983

My name is Glen Stream, President of the Oregon Division, Izaak Walton League of America; I reside at 7365 S. W. 82nd, Portland, Oregon 97223.

The Izaak Walton League of America is an organization strongly rooted in rural America and has long recognized both the rights and stewardship responsibilities of private landowners. The League, also believes that the federal government should recognize the national interest in preserving and protecting selected large and important landscape units that are mostly in private ownership, such as the New Jersey Pine Barrens, Jackson Hole, the Tall Grass Prairie, and the Columbia River Gorge.

The federal government should help to protect such nationally significant landscapes where the task is beyond the capabilities of local and/or state governments acting alone. Protection mechanisms should respect both traditional use patterns of the land and the rights of those who have, to date, been its faithful stewards. Such mechanisms should be flexible, and emphasize public-private cooperation and voluntary action by landowners. The League recognizes that the models for protecting such landscape units have yet to be perfected; it supports testing an array of mechanisms including federal (and other) tax incentives, federal designation of special inter-governmental planning districts, review of proposed federal expenditures and actions for consistency with landscape protection goals, federal cooperation with state-local governments in acquiring easements or development rights, and special loans or grants to assist compatible commercial uses of the land.

A three day national convention is scheduled annually by the Izaak Walton League of America; and it is rotated in various locations throughout the country. The League was founded in 1922 and has a membership of about 50,000. In 1981, at the League's National Convention in Syracuse, New York, the following resolution urging a National Scenic Area status for the Columbia River Gorge was passed:

RESOLUTION — COLUMBIA RIVER GORGE NATIONAL SCENIC AREA

By any standards, the gorge of the Columbia River between the states of Oregon and Washington is an outstanding scenic area of undeniable national significance.

It cleaves the 5,000 foot high Cascade Mountains, creating the nation's greatest water gap and wind tunnel.

It encompasses many highly significant geologic features, such as Multnomah and numerous other waterfalls, lava flows, volcanoes and evidence of the Missoula flood, the greatest flood in the known geologic history of the Earth. There are about 800 plant species, including 58 that are rare or endangered and 9 that are found only in the Gorge.

The Gorge has unsurpassed historical significance. It was a travel and trade artery and a major salmon fishing site for native Americans. Sailing expeditions to the Columbia River by Captain George Vancouver (British) and Robert Gray (USA) in 1792, followed by the Lewis and Clark overland expedition through the Gorge in 1803-06 opened the Pacific Northwest to settlement via the Pacific Ocean and Oregon Trail.

Since pioneer times there have been many human developments in the Gorge. Today there are interstate highways, railroads and power transmission lines on both sides. Bonneville Dam and The Dalles Dam are major generators of hydroelectric power and provide locks that convert the Columbia into a commercial waterway. The remnants of once great runs of salmon and steelhead are sufficient to continue to rank the Columbia as No. 1 in the nation (excluding Alaska). The Gorge is important for forest products, manufacturing, the transportation and the production of aluminum. It includes significant agriculture, primarily apple and cherry orchards. There are numerous tourist facilities. Also, there are 27 parks and recreation sites on the Oregon side and four in Washington (state, county, city, Forest Service and Corps of Engineers).

In the eastern portion of the Gorge, about 10% of the land is publicly owned. In the western portion, about 44%. The Mt. Hood National Forest (38,700 acreas) and Gifford Pinchot National Forest (5,000 acres) constitute the largest public ownership. For the last 66 years, the Forest Service has provided consistent high-quality management of scenic, recreation and other multiple uses on these national forest lands.

Within the Gorge, there are over 50 separate local, state and federal agencies attempting to manage separate parcels or functions. Historically, most have had good intentions to protect the scenic grandeur and the natural and historic values. But some agencies have been lax; others have worked at cross purposes. There has been minimal public information and interpretation of the values at stake and how present and proposed development impact these values. Multiple pressures for uncoordinated and irreversible development of the Gorge are accelerating. A reliable mechanism for insuring that development is in harmony with long-range protection of Gorge scenic, natural and historical values must be established and soon.

In 1979, the National Izaak Walton League of America urged the establishment of a system of National Scenic Areas to provide for private, local, state and federal management of both commodity and noncommodity uses in qualifying areas in a manner that would be compatible with protection of scenic values. The Columbia Gorge was mentioned as one example. In 1980, a National Park Service report recommended a somewhat similar solution. In 1981, the "Friends of the Columbia Gorge" concluded that the National Scenic Area option was the best for the Gorge.

Now, therefore, be it resolved that the Oregon Division, Izaak Walton League of America in convention assembled at Waldport, Oregon, May 3, 1981, urges the Governors of Oregon and Washington, the entire Congressional Delegation of both states and the county governments affected to unite in a campaign to promptly establish a National Scenic Area in the Gorge that would blend the best features of private and public management and result in coordinated economic development that protects the scenic, natural and historic values, and

Be it further resolved that the Forest Service, United States Department of Agriculture, because of its long history of protection of scenic, historic and natural values in the Gorge and demonstrated expertise in multiple use management, be designated as the lead agency.

Thank you.

Portland Chapter 1981
Glen Stream
Glen Stream
Pres. Ore. Div.
I.W.L.A.

Senator HATFIELD. Mr. Henderson.

STATEMENT OF BRUCE HENDERSON, THE SIERRA CLUB

Mr. HENDERSON. Thank you, Senator Hatfield. I'm Bruce Henderson of the Sierra Club, representing the Oregon and Cascade Chapters of the Sierra Club.

The Sierra Club has long advocated protection of many renowned resources of the Columbia River Gorge. Even John Muir wrote of its beauty and grandeur when he traveled here around the turn of the century. We welcome your support for Federal legislation to provide a coordinated approach to the protection of the gorge.

The Sierra Club supports Federal legislation designating the Columbia River Gorge as a National Scenic Area. We believe this is critically important to the long-term protection of the gorge's scenic, historic, and ecological values. We also believe it will provide a solid and consistent economic base for the gorge area founded on tourism and related business. Revenues from such an economy will be far more stable and long-term than the fluctuations of speculative developments.

In our view, a sound bill to protect the Columbia River Gorge should include the following major elements:

One. A lead Federal agency which has the final approval authority for the management plan, and the authority to enforce that plan.

Two. Designated critical areas which remain protected while the management plan for the entire gorge is prepared.

Three. A regional commission that is balanced between various interests, but not dominated by local interests who have opposed the unified protection and management of the gorge.

Four. Require interim guidelines to control development consistent with the purposes of the act until the plan is approved.

Five. Require State and local plans to be amended to be consistent with and adequate to implement the management plan.

The present bill generally accomplishes some of these objectives, but not all. However, the Sierra Club can support this bill as a workable approach to the protection and management of the gorge.

Yet, there are those who want more compromises in a weaker bill, while not recognizing the significant compromises of S. 627 already present. The most important of these are:

One. The Forest Service, which historically is more development-oriented, is designated the lead agency, rather than the National Park Service, which traditionally handles national scenic and recreation areas.

Two. The regional commission which will have a major say in how the gorge is protected is primarily composed of State and local representatives, who are not required to represent or support the values this act seeks to protect.

Three. State agencies' plans and regulations, and local plans, are not required to be brought into compliance with the management plan. Local plan changes are only voluntary. The burden is on the lead agency to force local compliance. Under the present approach, the lead agency will be given the impossible task to monitor all local land use actions, and to constantly take politically volatile enforcement actions. Integrating the appropriate protections into State and local plans will enable a more cooperative approach to the management of the gorge.

The management principles approved by Governors Atiyeh and Spellman are an important development, particularly on the Washington side. However, they are critically deficient in four key respects:

One. They do not provide for a lead Federal agency with overall management and enforcement responsibilities.

Two. They allow a majority of just one State's delegation to, in effect, veto the management plan, which is contrary to the stated principles of one individual management entity.

Three. They do not provide for critical areas being identified in the act itself, with protection prior to approval of the management plan.

Four. They do not require interim guidelines for the protection of the gorge while the plan is being prepared.

However, the principles also include what appears to be a point which is stronger than S. 627. This is an apparent requirement that the local, State, and Federal land use plans be brought into compliance with the management plan and certified by the commission. This mandatory requirement to change the existing plans at all government levels to comply with the gorge management plan is an important step forward on the parts of Oregon and Washington, and should be included in the bill.

In ending my testimony, I would like to again state that the Sierra Club supports S. 627 as a workable compromise for gorge protection. Also, the Sierra Club is prepared to submit section-by-section comments and amendments, if the committee so wishes, for bill markup.

Thank you very much.

Senator HATFIELD. Thank you, very much.

Ms. Herring.

STATEMENT OF LYNN HERRING, PRESIDENT, PORTLAND AUDUBON SOCIETY

Ms. HERRING. Thank you, Senator Hatfield. My name is Lynn Herring, and I'm here today representing the 3,700 members of the Audubon Society of Portland, to urge passage of S. 627, the Columbia River Gorge Act of 1983.

As you know, our parent organization, the National Audubon Society, which has over 500,000 members, also supports this measure, as it is an issue of national significance. I am submitting the written testimony of Mr. Brock Evans, National Audubon's vice president of national issues, that we would request be entered into the record.

Undoubtedly, numerous supporters of this legislation will address the scenic, recreational, geologic, and related issues which make the gorge one of our Nation's most treasured natural resources. These are the most obvious, outstanding attributes of what the act describes as "a spectacular canyon of compelling majestic beauty, a magnificent, scenic, natural, and recreational area of national significance."

My testimony, however, will focus on the unique biological resources that will make the Columbia River Gorge worthy of strong, protective, Federal legislation. The combined features of a nearly sea-level breach of the Cascade Mountain Range, unique weather patterns, and a broad range of plant communities, all play a role in the distribution of endemic, threatened and endangered, and significant plant and animal populations that live in and use the gorge.

Plants. It is significant to note, as is pointed out in the act, the botanical diversity in the gorge is extraordinarily high. Twenty-five percent of the 4,000 plants which grow in Oregon occur in the gorge. There are 60 gorge species that have been identified as rare, threatened, or endangered by the Oregon rare and endangered plant project. There are at least eight endemic plants that grow nowhere else on Earth; 31 species of plants that usually occur at elevations of 4,000 feet or more are found below 1,600 feet in the gorge. The diverse climatic and geologic features of the gorge results in the richest variety of ferns throughout the Northwest.

There are two strong arguments for Federal participation in preparation and enforcement of a gorge management plan regarding these remarkable botanic resources:

One. There's no State protection afforded rare and endangered plants in Oregon.

Two. Endemic, threatened, and endangered plants grow throughout the gorge without regard to municipal, State, and private boundaries.

Botanists will provide you with much additional information regarding plants of the gorge, and we have appended a copy of "Rare, Threatened and Endangered Plant Life of the Columbia River Gorge Province," compiled by Jean Siddall.

Animals. The gorge has also provided an important migration route and a set of unique environments for a diverse array of animals. The most spectacularly represented group of vertebrates are the amphibians and reptiles. The gorge corridor is especially important to these animals.

The following information was compiled by the Portland Audubon Society with the assistance of northwest herpetologists who have been studying vertebrate population dynamics in the gorge for many years.

The amphibian species is of special concern. The Larch mountain salamander. This specie is the premier amphibian of the gorge. It is an endemic, and occurs nowhere else in the world. Its habitat needs are illustrative of the importance of coordinated land use planning. Quarrying activities in at least two instances have resulted in slope destabilization in its preferred habitat of talus slopes. Aerial spraying of power line rights-of-way is another potential impact that needs study. It is noteworthy that this specie's status is uncertain, and is presently under review as a candidate for threatened and endangered status.

The tiger salamander. This specie ranges westward along the Columbia to about Hood River, which is the western-most extent of the range.

The Oregon slender salamander. Known only from the gorge and southward into the Cascades.

Woodhouse's toad. There's a small, disjunct population from Boardman to The Dalles, and this is the westernmost population of this species.

Reptiles of special concern. The sharp-tailed snake. Possibly in the wet end of the gorge, then at the lower end of the Deschutes River near The Dalles. This species is protected in Oregon. It's probably one of the two least-known snakes in Oregon, and every effort should be made to protect its habitat.

California mountain king snake. This snake occurs in southwestern Oregon, and is known from site records from the lower Deschutes River near The Dalles and westward to Hood River, around Lyle, Wash. Again, it's important to protect its habitat.

The ringneck snake and leopard lizard are other species of special interest.

Birds. The gorge offers numerous sites for the reintroduction of Peregrine falcons.

Mammals. There is a low-elevation population of pikas—and invertebrates—and this can be addressed in the written testimony which you have before you.

Thank you.

Senator HATFIELD. Thank you, very much. I appreciate your testimony.

[The prepared statements of Ms. Herring and Mr. Evans follow:]

AUDUBON SOCIETY OF PORTLAND

A Branch of National Audubon Society

PHONE 292-6855 • 5151 NORTHWEST CORNELL ROAD • PORTLAND, OREGON 97210

March 25, 1983

Testimony of
Lynn Herring

President, Portland Audubon Society

before the

Subcommittee on Public Lands and Reserved Water
Energy and Natural Resources Committee
United States Senate

My name is Lynn Herring and I am here today representing the 3700 members of the Audubon Society of Portland to urge passage of SB 627, The Columbia River Gorge Act of 1983. As you know, our parent organization, the National Audubon Society which has over one-half million members also supports this measure as it is an issue of national significance. I am submitting the written testimony of Mr. Brock Evans, National Audubon's Vice-President of National Issues that we would request be entered into the record.

Undoubtedly numerous supporters of this legislation will address the scenic, recreational, geologic and related issues which make the Gorge one of our nation's most treasured natural resources. These are the most obvious outstanding attributes of what The Act describes as, "...a spectacular canyon of compelling majestic beauty...a magnificent scenic, natural and recreational (area) of national significance." My testimony, however, will focus on the unique biological resources that make the Columbia River Gorge worthy of strong, protective federal legislation. The combined features of a nearly sea level breach of the Cascade Mountain Range, unique weather patterns and a broad range of plant communities all play a role in the distribution of Endemic; Threatened and Endangered and Significant plant and animal populations that live in and use the Gorge.

Plants

It is significant to note, as is pointed out in The Act, that botanical diversity in the Gorge is extraordinarily high. Twenty-five per cent of the 4,000 plants which grow in Oregon occur in the Gorge. There are sixty Gorge species that have been identified as Rare, Threatened or Endangered by the Oregon Rare and Endangered Plant project.

There are at least eight endemics, plants that grow nowhere else on earth. 31 species of plants that usually occur at elevations of 4,000 feet or more are found below 1,600 feet in the Gorge. The diverse climatic and geologic features of the Gorge results in the richest variety of ferns throughout the northwest.

There are two strong arguments for federal participation in preparation and enforcement of a Gorge management plan regarding these remarkable botanic resources:

1. There is no state protection afforded rare and endangered plants in Oregon.
2. Endemic, threatened and endangered plants grow throughout the Gorge without regard to municipal, state and private boundaries.

Botanists will provide you with much additional information regarding plants of the Gorge. We have appended a copy of Rare, Threatened and Endangered Plant Life of The Columbia River Gorge Province, compiled by Jean Siddall. Individual species information can be found in Rare, Threatened and Endangered Plants In Oregon: An Interim Report, by Siddall, Chambers and Wagner.

Animals

The Gorge has also provided an important migration route and set of unique environments for a diverse array of animals. The most spectacularly represented group of vertebrates are the amphibians and reptiles. The Gorge corridor is especially important to these animals. The following information was compiled by Portland Audubon with the assistance of northwest herpetologists who have been studying vertebrate population dynamics in the Gorge for many years.

Amphibian Species of Special Concern:

Larch Mountain Salamander: This species is the premier amphibian of the Gorge. It is an endemic and occurs nowhere else in the world. Its habitat needs are illustrative of the importance of coordinated land use planning. Quarrying activities in at least two instances have resulted in slope destabilization in its preferred habitat of talus slopes. Aerial spraying of powerline rights-of-way is another potential impact that needs study. It is noteworthy that this species' status is uncertain and is presently under review as a candidate for Threatened and Endangered status.

Tiger Salamander: This species ranges westward along the Columbia to about Hood River, which is the westernmost extent of its range.

Oregon Slender Salamander: Known only from the Gorge and southward in the Cascades.

Woodhouse's Toad: There is a small, disjunct population from Boardman to The Dalles. This is the westernmost population of this species.

Amphibians of Special Interest:

The following species are of interest because of their distribution patterns with respect to the Columbia River Gorge. Individual species information is available.

Pacific Giant Salamander, Olympic Salamander, Northwestern Salamander, Rough-Skinned Newt, Ensatina, Western Red-Backed Salamander, Dunn's Salamander, Clouded Salamander, Tailed Frog, Red-Legged Frog and Leopard Frog

Reptiles of Special Concern:

Sharp-Tailed Snake: Possibly in the west end of the Gorge, then at the lower end of the Deschutes River near The Dalles. This species is protected in Oregon. It is probably one of the two least known snakes in Oregon and every effort should be made to protect its habitat.

California Mountain Kingsnake: This snake occurs in southwestern Oregon and is known from sight records from the lower Deschutes River near The Dalles and westward to Hood River and around Lyle, Washington. It is, again, important to protect its habitat.

Ringneck Snake: This species occurs along the Columbia River only in the Gorge between Portland and The Dalles. The Gorge is an important corridor for this species.

Leopard Lizard: There are old reports of a population from The Dalles area. It is a protected species in Oregon.

Reptiles of Special Interest:

As with the amphibians, these species are of interest because of their distribution patterns within the Gorge.
Sagebrush Lizard, Side-Blotched Lizard, Southern and Northern Alligator Lizards, Rubber Boa, Racer, Striped Whipsnake, Gopher Snake and Northwestern Garter Snake.

Birds: The Gorge offers numerous sites for the re-introduction of Peregrine Falcons. There are also a large number of wintering Bald Eagles and many nesting Osprey. As with plants and other animals, birds use the Gorge as a major migratory passage and a large numberof species winter in the Gorge.

Mammals: There is a low elevation population of Pikas which inhabitat the talus slopes on both sides of the Gorge. These populations are of special interest to mammologists because they normally live in higher elevation alpine and timberline habitats in the northwest. As with plants, there may be other species of mammals found at lower elevations in the Gorge than is usual in this portion of the Cascades. More study is needed.

Invertebrates:

If little is known about specific habitat preferences and requirements for reptiles and amphibians, virtually nothing is known about insect and other invertebrate populations which depend on the endemic and threatened plant species of the Gorge. It has been estimated that for every plant extinction between ten and thirty species of invertebrates vanish from the earth. Coordinated planning efforts which ensure protection of endemic and Threatened and Endangered plant species will have the added benefit of protecting numerous invertebrates about which we know little.

We are hopeful that this discussion of a few of the Gorge's outstanding plant and animal resources will impress upon you how special it is regarding floral and faunal diversity and uniqueness. It is Portland Audubon Society's position that nothing short of federal legislation and a mandatory federal presence in management proposals is essential for protection of these and other Columbia River Gorge resources. We do not want to see the Gorge go the way of New Jersey's Pine Barrens, which have been continually degraded after passage of weak, compromise legislation which gave too much power to local interests. Federal participation and influence in the Pinelands National Preserve has been too little to truly protect the Barrens from incursions of developments and other economic exploitation. We view Governor Atiyeh and Spellman's proposed plan to be just such a weak compromise. You are urged to maintain a strong federal role in protection of the Gorge.

Respectfully,

Lynn Herring

Lynn Herring, President
Audubon Society of Portland

RARE, THREATENED AND ENDANGERED PLANT OF THE COLUMBIA RIVER GORGE PROVINCE

Scientific name	Common name
* Agrostis howellii	Howell's bentgrass
Alisma gramineum	narrow-leaved water plantain
Allium douglasii var. nevii	Nevius' onion
Arabis furcata	Columbia Gorge rockcress
Arabis sparsiflora var. atrorubens	sickle-pod rockcress
Arenaria franklinii var. thompsonii (probably extinct)	Thompson's sandwort
Arnica amplexicaulis var. piperi	Piper's streambank arnica
Artemisia campestris var. wormskioldii	northern wormwood
Artemisia lindleyana	Lindley's wormwood
Astragalus hoodianus	Hood River milk-vetch
Astragalus howellii	Howell's milk-vetch
Bolandra oregana	Oregon bolandra
Botrychium lanceolatum	lance-leaved grape-fern
Botrychium virginianum	Virginia grape-fern
* Calamagrostis howellii	Howell's reedgrass
Calypso bulbosa	Calypso
Carex macrochaeta	Alaskan long-awned sedge
Castilleja rupicola	cliff paintbrush
Clematis columbiana var. columbiana	Columbia clematis
Corydalis aquae-gelidae	Cold-water corydalis
Cypripedium montanum	mountain lady's-slipper
Delphinium leucophaeum	white rock larkspur
Delphinium nuttallii	Nuttall's larkspur
Dodecatheon dentatum	white shooting-star
Dodecatheon poeticum	narcissus shooting-star
Douglasia laevigata	douglasia
Eburophyton austinae	phantom orchid
* Erigeron howellii	Howell's daisy
* Erigeron oreganus	Oregon daisy
Hackelia diffusa var. diffusa	diffuse stickweed
Hemitomes congestum	hemitomes
Heuchera grossularifolia var. tenuifolia	thin-leaved alumroot
* Hieracium longiberbe	long-bearded hawkweed
Howellia aquatilis	howellia
Lewisia columbiana ssp. columbiana	Columbia lewisia
Linanthus bakeri	Baker's linanthus
Lindernia anagalloides	long-stalked lindernia
Lomatium columbianum	Columbia Gorge lomatium
Lomatium laevigatum	smooth desert parsley
Lomatium suksdorfii	Suksdorf's lomatium
* Lupinus latifolius var. thompsonianus	Thompson's lupine

*Known only from the Columbia River Gorge

Rare, Threatened and Endangered Plants of the Columbia River Gorge - page 2

Lycopodium annotinum	stiff club-moss
Lycopodium selago	fir club-moss
Meconella oregana	Oregon meconella
Penstemon barrettiae	Barrett's penstemon
Penstemon glandulosus	glandular penstemon
Penstemon subserratus	subserrate penstemon
Pleuricospora fimbriolata	fimbriate pinesap
Poa gracillima var. multnomae	Multnomah bluegrass
Ranunculus lobbii	Lobb's buttercup
Ranunculus macounii var. oreganus	Macoun's buttercup
* Ranunculus reconditus (probably extinct in Oregon)	Dalles Mt. buttercup
Rorippa columbiae	Columbia cress
Sagittaria latifolia	Wapato, Indian potato
Scirpus cyperinus	woolgrass
Scribneria bolanderi	Bolander's scribneria
Suksdorfia violacea	violet suksdorfia
Sullivantia oregana	Oregon sullivantia
* Synthyris stellata	Columbia synthyris
Tauschia stricklandii	Strickland's tauschia
Tiarella laciniata	cut-leaf foamflower

Compiled for the Portland Garden Club
by Jean L. Siddall, Director
Oregon Rare and Endangered Plant Project
March 1983

Testimony of

BROCK EVANS

Vice-President of National Issues

National Audubon Society

before the

Subcommittee on Public Lands and Reserved Water
Energy and Natural Resources Committee
United State Senate

March 25, 1983

My name is Brock Evans and I am Vice-President of National Issues for the National Audubon Society. I am pleased to be in my beloved Northwest again to discuss the future of one of the most beautiful river gorges in the world. Who would have guessed that a simple journey of a river to the sea could produce a wonder such as the Columbia River Gorge, the river carving its way through the massive Cascade Mountains, leaving us to marvel at its power and beauty? Fed by its spectacular tributaries and traversing landscapes as diverse as the high desert and the Cascade rain forest, this river gorge offers us a tremendous story of the natural world.

The Gorge tells us of the diversity of wildlife and plants, the trial of wild salmon and the dynamics of flowing water, and the history of the Northwest's development. It tells how those natural gifts to humankind enriched the lives of Northwesterners, and unfortunately, it tells how people learned to take the river for granted. Here is the tale of greatly diminished fish and wildlife and ever increasing signs of human use and development.

Today we are here to discuss how the Gorge can be managed in order to ensure that its scenic, ecological, recreational, and cultural qualities are protected for this and future generations to enjoy. We must create a plan that considers the needs of local residents and governments and yet truly protects the Gorge.

The National Audubon Society supports the designation of a Columbia River Gorge National Scenic Area under strong federal management. Such federal involvement is necessary to ensure coordination among the various government bodies and to make available federal funds for the purchase of certain key private lands. The States of Washington and Oregon cannot by themselves do the job. For example, the management plan recently announced by the Governors of Oregon and Washington falls short of affording adequate protection for the Gorge. The Governors' plan allows only a nominal federal presence on a regional commission. It barely provides for federal involvement in the development of a management plan, the single most important document in the process. Any plan which reduces a federal presence is not acceptable to National Audubon.

It must be recognized amidst the heat of this debate that management of the Columbia River Gorge is simply not a local issue but one of national concern. For example, the flora and fauna of this river canyon do not recognize municipal boundaries. Moreover, the physical nature of this area has resulted in a unique East-West mixture of plant and animal communities; and the Gorge serves as a long-range migration route for wildlife. We share the concern for the habitat values that will be addressed by the Portland Audubon Society.

Meanwhile, the National Audubon Society recognizes that there are many scenic and natural resource issues associated with Gorge protection that must be considered. These include:

1) protection for the major tributaries to the Columbia, which are not only an integral part of the Gorge's outstanding scenery but also serve as critical spawning and rearing grounds for the Columbia's salmon and steelhead. All water courses within the Scenic Area should be excluded from developments such as dams, pipelines, diversions, and water storage.

2) protection of all federal lands within the Scenic Area from all forms of mineral and timber exploitation.

3) protection of the Scenic Area from urban sprawl. The provision in the existing proposal, which allows the Scenic Area boundary to be reduced to accommodate expanding urban boundaries, is a potentially fatal flaw in the bill.

4) protection of the Scenic Area from its admirers. Development and the promotion of tourism should be carefully considered and should not take place at the expense of natural values.

In conclusion and on behalf of the Audubon chapters in this country with over 500,000 national members and the 32 chapters in Oregon and Washington with 21,000 national members, the National Audubon Society endorses the Columbia River Gorge Act of 1983, S. 627. The Society reiterates the need for a strong federal role in the stewardship of the Gorge to assure the protection, conservation, and enhancement -- not development -- of this national treasure.

END

Statement by:

Brock Evans, Vice-President of National Issues
National Audubon Society
National Capital Office
645 Pennsylvania Avenue, S.E.
Washington, D.C. 20003

(202) 547-9009

Senator **Hatfield**. This panel, and all the panels have been very good this morning.

The committee will stand in recess until 2 this afternoon.

[Whereupon, at 12 noon, the committee recessed, to reconvene at 2 p.m., the same day.]

AFTERNOON SESSION

Senator **Hatfield**. Will the meeting please come to order? The hearing will proceed.

We invite now the panel of Mr. Gregg, Mr. Posekany, Mr. Brown, and Ms. Karlsson.

Mr. Gregg, I have you as the first on the list, so we'll let you go first.

STATEMENT OF PHILO GREGG, DISTRICT FORESTER, INDUSTRIAL FORESTRY ASSOCIATION

Mr. **Gregg**. Thank you. Senator, my name is Philo Gregg, district forester for Industrial Forestry Association, Portland, Oreg. Industrial Forestry Association represents large and small industry, forest landowners, and purchasers of public timber in the Douglas-fir region of the Pacific Northwest.

In the Columbia River Gorge we represent 12 forest landowning companies, 11 of which also purchase Federal timber.

Collectively, these landowners represent 37,000 acres of forest land on both sides of the river, approximately one-third of the total forest land within the proposed national scenic area.

Some of the land they own has been logged twice and has been privately held for 50 years, or more.

A brief history of industry in the gorge: In the west end of the gorge, logging was started in the Bridal Veil area with oxen around 1880. In the east end, near The Dalles, in Bingen, logging was conducted not only for building materials, but for firewood to feed the boilers of the early steamers that ran on the Columbia. Underwood Hill, near Bingen, has been harvested at least twice, with the last harvest around approximately 1905.

The point is the timber management on private lands is a part of the history and heritage of the gorge, and a long-recognized use which is compatible with other uses of the gorge.

The photographs at the end of the copy of the statement that you have, Senator, were given to me by Marvin and Lois Jennegard, early settlers. Their point there was, people say we haven't protected the gorge; but, look what we had to start from. What that is, is a picture of the repeated burns in the gorge. From the standpoint of forestry, that's where we started, also. Before we could get the gorge to green up, we had to first get rid of the fires in the gorge.

The forest industry that exists today in the gorge has grown into a multimillion-dollar industry. An IFA survey conducted recently shows that 13 companies in and adjacent to the gorge employ 4,400 people, with a total payroll of $93,406,000 annually, of which $15,032,000 is paid out in payroll taxes to the State and Federal Governments.

Please remember that we were only counting respondents to our survey. There are others, principally in logging, who did not respond.

When one takes into account the secondary job multiplier for service and trade jobs such as the banker, gas dealer, equipment dealer, et cetera, an additional payroll of $79 million for another 8,800 people, is spent both locally and throughout the two States. It is apparent that not only the local communities are dependent on the forest products industry, but also those who live outside the gorge.

Even though each company is an important entity unto itself, the wood residuals these companies produce in the form of chips and hog fuel are of vital importance to the area's pulp and paper industry. Mr. Brown, from Crown Zellerbach, will speak on this matter later. I'm kind of setting the stage for him here.

The 37,000 commercial forest land acres owned by the companies have an assessed valuation of approximately $100 million, and a fair market value far higher than the assessed valuation.

Before commenting on the anticipated impact of the current Federal proposal, it is necessary to mention one key factor in the economics of commercial forestry: A very long—very long—investment period. The very nature of commercial forestry requires large front-end investments for site preparation, planting, and early reforestation stock maintenance, with no return on the investment for many years to come. Average rotation lengths in this portion of the Northwest range between 60 and 70 years. The length of the production cycle does some very funny things in terms of management investment decisionmaking which are peculiar to our industry.

Amortization considerations become a big deterrent. Management costs and taxes, particularly in the early years of the rotation, are all-important. In the Northwest, after discounting considerations, one is looking at between $100 to $200 real return per acre on investment at the end of a 50-year cycle.

Senator HATFIELD. Thank you, very much. Sorry to have to cut you off, Mr. Gregg, but we'll take your full statement in the record. I have glanced on through it now, and will read it carefully.

Mr. GREGG. Thank you.

Senator HATFIELD. I want to thank you.

[The prepared statement of Mr. Gregg follows:]

Statement of
Philo Gregg, District Forester
Industrial Forestry Association
before
Subcommittee on Public Lands & Reserved Water
of the
Senate Energy & Natural Resources Committee
on
S. 627
March 25, 1983
Portland, Oregon

MY NAME IS PHILO GREGG, DISTRICT FORESTER FOR INDUSTRIAL FORESTRY ASSOCIATION, PORTLAND, OREGON. INDUSTRIAL FORESTRY ASSOCIATION REPRESENTS LARGE AND SMALL INDUSTRY FOREST LANDOWNERS AND PURCHASERS OF PUBLIC TIMBER IN THE DOUGLAS FIR REGION OF THE PACIFIC NORTHWEST. IN THE COLUMBIA RIVER GORGE WE REPRESENT 12 FOREST LANDOWNING COMPANIES, 11 OF WHICH ALSO PURCHASE PUBLIC TIMBER. COLLECTIVELY, THESE LANDOWNERS REPRESENT 37,000 ACRES OF FOREST LAND ON BOTH SIDES OF THE RIVER--APPROXIMATELY ONE-THIRD OF THE TOTAL FORESTLAND WITHIN THE PROPOSED NSA. OWNERSHIP SIZE VARIES FROM APPROXIMATELY 12,000 ACRES TO 80 ACRES; SOME OF THE LAND THEY OWN HAS BEEN LOGGED TWICE AND HAS BEEN PRIVATELY HELD FOR 50 YEARS OR MORE.

FOREST PRODUCTS HISTORY IN THE GORGE

IN THE WEST END OF THE GORGE LOGGING WAS STARTED IN THE BRIDALVEIL AREA WITH OXEN AROUND 1880. IN THE EAST END NEAR THE DALLES AND BINGEN, LOGGING WAS CONDUCTED NOT ONLY FOR BUILDING MATERIALS, BUT FOR FIREWOOD TO FEED THE BOILERS OF THE EARLY STEAMERS THAT RAN ON THE COLUMBIA. UNDERWOOD HILL, NEAR BINGEN, HAS BEEN HARVESTED AT LEAST TWICE WITH THE LAST HARVEST IN 1905. THE POINT IS THAT TIMBER MANAGEMENT ON PRIVATE LANDS IS A PART OF THE HISTORY AND HERITAGE OF THE GORGE AND A LONG RECOGNIZED USE WHICH IS COMPATIBLE WITH OTHER USES OF THE GORGE.

A PROFILE OF THE EXISTING INDUSTRY IN THE GORGE

THE FOREST INDUSTRY THAT EXISTS TODAY IN THE GORGE HAS GROWN INTO A MULTIMILLION DOLLAR INDUSTRY. AN IFA SURVEY CONDUCTED RECENTLY SHOWS THAT 13 COMPANIES IN AND ADJACENT TO THE GORGE EMPLOY 4,400 DIRECT INDUSTRY JOBS WITH A TOTAL PAYROLL OF $93,406,000 ANNUALLY OF WHICH $15,032,000 ARE PAID OUT IN PAYROLL TAXES TO THE STATE AND FEDERAL GOVERNMENT. PLEASE REMEMBER THAT WE ARE ONLY COUNTING RESPONDENTS TO OUR SURVEY. THERE ARE OTHERS, PRINCIPALLY IN LOGGING, WHO DID NOT RESPOND. WHEN ONE TAKES INTO ACCOUNT THE SECONDARY JOB MULTIPLIER FOR SERVICE AND TRADE JOBS, SUCH AS THE BANKER, GAS DEALER, EQUIPMENT DEALER, ETC., AN ADDITIONAL PAYROLL OF $79,112,000 FOR 8,800 PEOPLE IS SPENT BOTH LOCALLY AND THROUGHOUT THE TWO STATES. IT IS APPARENT THAT NOT ONLY THE LOCAL COMMUNITIES ARE DEPENDENT ON THE FOREST PRODUCTS INDUSTRY, BUT ALSO THOSE WHO LIVE OUTSIDE THE GORGE.

EVEN THOUGH EACH COMPANY IS AN IMPORTANT ENTITY UNTO ITSELF, THE WOOD RESIDUALS THESE COMPANIES PRODUCE IN THE FORM OF CHIPS AND HOG FUEL ARE OF VITAL IMPORTANCE TO THE AREA'S PULP AND PAPER INDUSTRY -- ESPECIALLY CROWN ZELLERBACH'S MILL AT CAMAS. MR. BROWN FROM CROWN ZELLERBACH WILL SPEAK ON THIS LATER.

THE 37,000 COMMERCIAL FORESTLAND ACRES OWNED BY THE COMPANIES MENTIONED BEFORE HAVE AN ASSESSED VALUATION OF APPROXIMATELY $100,000,000 AND A FAIR MARKET VALUE FAR HIGHER THAN THE ASSESSED VALUATION. THIS PRIVATE LAND BASE WITHIN THE NSA HAS AN ESTIMATED YIELD OF 14.5 MMBF PER YEAR. THE PUBLIC LAND YIELDS A 20.9 MMBF PER YEAR, BUT ARE MANAGED FOR DIFFERENT PURPOSES AND CONSEQUENTLY PRACTICALLY NO FEDERAL TIMBER IS HARVESTED WITHIN THE NSA. THE YIELDS FROM

PRIVATE AND PUBLIC FOREST LANDS HAVE THE POTENTIAL OF SUPPORTING 388 INDUSTRY JOBS ANNUALLY, PLUS 776 SERVICE AND TRADE JOBS. SINCE FOREST SERVICE MANAGEMENT IS NOT GEARED TOWARD TIMBER PRODUCTION, ONLY 144 INDUSTRY JOBS AND 288 SECONDARY JOBS ARE REALIZED -- THESE FROM PRIVATE INDUSTRIAL FOREST LANDS. SMALL WOODLAND OWNERS AND OTHERS WOULD ADD TO THIS SIGNIFICANTLY.

BEFORE COMMENTING ON THE ANTICIPATED IMPACT OF THE CURRENT FEDERAL PROPOSAL IT IS NECESSARY TO MENTION ONE KEY FACTOR IN THE ECONOMICS OF COMMERCIAL FORESTRY -- OUR VERY LONG INVESTMENT PERIOD. THE VERY NATURE OF COMMERCIAL FORESTRY REQUIRES LARGE FRONT-END INVESTMENTS FOR SITE PREPARATION, PLANTING, AND EARLY REFORESTATION STOCK MAINTENANCE WITH NO RETURN ON THE INVESTMENT FOR MANY YEARS TO COME. AVERAGE ROTATION LENGTHS IN THIS PORTION OF THE NORTHWEST RANGE BETWEEN 60 AND 70 YEARS. THE LENGTH OF THE PRODUCTION CYCLE DOES SOME VERY FUNNY THINGS IN TERMS OF MANAGEMENT AND INVESTMENT DECISION-MAKING WHICH ARE PECULIAR TO THE TIMBER INDUSTRY. AMORTIZATION CONSIDERATIONS BECOME A BIG DETERMINANT. MANAGEMENT COSTS AND TAXES PARTICULARLY IN THE EARLY YEARS OF THE ROTATION, ARE ALL IMPORTANT. IN THE NORTHWEST, AFTER DISCOUNTING CONSIDERATIONS, ONE IS LOOKING AT BETWEEN $100-$200 REAL RETURN PER ACRE ON INVESTMENT AT THE END OF A 50-YEAR INVESTMENT CYCLE.

BECAUSE OF THESE LONG INVESTMENT TIME HORIZONS, THE INDUSTRY'S COMPETITIVENESS IS HIGHLY SENSITIVE TO REGULATORY AND ON-GROUND MANAGEMENT COSTS. WHAT MAY SEEM TO BE A MINOR REGULATORY COST OF SAY $50 TO $100 PER ACRE TO ACCOMODATE "SCENIC AREA" MANDATES, CAN LITERALLY MAKE FORESTRY MANAGEMENT ECONOMICALLY UNJUSTIFIABLE.

ANTICIPATED RESULTS OF FEDERAL CONTROL

THE PROPOSED BILL DOES NOT RECOGNIZE ANY EXISTING USES WITHIN THE GORGE. SECTION 5(B)(3) INDICATES THE MANAGEMENT PLAN WILL "DESIGNATE APPROPRIATE USES OF ALL LANDS WITHIN THE AREA IN ORDER TO ACHIEVE THE PURPOSES OF THIS ACT." IN OTHER WORDS, CRITICAL AND INCORPORATED AREAS ASIDE, ALL PRIVATE LANDS ARE SUBJECT TO FURTHER RESTRICTIONS WITHIN THE PURPOSES OF THE ACT DEPENDING UPON THE OUTCOME OF A PLAN DEVELOPED BY THE FOREST SERVICE WITH FINAL APPROVAL BY THE SECRETARY OF AGRICULTURE. THERE IS NO LANGUAGE IN THE BILL THAT SPEAKS TO COMPENSATION FOR THE REDUCTION IN TIMBER YIELDS OR OTHER RESTRICTIONS ON OUR PLANTS THAT MAY BE IMPOSED BY THE FEDERAL GOVERNMENT.

ANY RESTRICTIONS ON FOREST LANDS BY A PLAN DEVELOPED BY ANY GOVERNMENT AGENCY FOR PRIVATE LAND WE THINK WILL BE BIASED TOWARD THEIR MANAGEMENT PRACTICES IN THE GORGE. THE FOREST SERVICE "VISUAL MANAGEMENT" GUIDELINES IN THE GORGE ARE SIMPLY PRESERVATION OR NO CUTTING. THESE GUIDELINES MAY BE ALRIGHT FOR THE FEDERAL GOVERNMENT, BUT OUR LANDS HAVE BEEN ALREADY VISUALLY IMPACTED BY POWERLINES, GAS LINES, ROAD RIGHT-OF-WAYS, ETC. PHYSICALLY THERE ARE ENOUGH PROBLEMS THAT ALREADY EXIST TO INCREASE COSTS. WE DON'T NEED VISUAL MANAGEMENT RESTRICTIONS TO INCREASE ROTATION AGES AND REDUCE YIELDS.

PLANT INVESTMENT COSTS BY THE INDSUTRY IDENTIFIED IN OUR SURVEY, NOT INCLUDING THE CROWN ZELLERBACH PLANT AT CAMAS, WHICH IS UNDERGOING INTENSIVE MODERNIZATION, HAVE BEEN ABOUT $88,254,000. ALL THE PLANTS INSIDE THE NSA BOUNDARY ARE SUBJECT TO ANY FEDERAL GOVERNMENT CONTROL IMPOSED BY THE MANAGEMENT PLAN AS WELL AS OUR LANDS. WE DO NOT THINK IT NECESSARY TO PLACE APPROXIMATELY $200,000,000 OF INVESTMENT IN LAND, TIMBER AND FACILITIES IN THE HANDS OF THE FEDERAL GOVERNMENT WHEN ALL THE REGULATIONS THAT CURRENTLY EXIST LOCALLY AND WITHIN THE STATE LAWS

ASSURE NECESSARY PROTECTION OF THE GORGE. THEY WORKED IN THE PAST AND WILL CONTINUE TO DO SO IN THE FUTURE.

THE PROPOSED CONDEMNATION CAP OF 10% ON THE TOTAL GROSS AREA WITHIN THE NSA BOUNDARIES IS MISLEADING. WITHIN THE NSA, APPROXIMATELY 150,000 ACRES ARE IN LAND USES THAT WILL NOT BE SUBJECT TO CHANGE, I.E., POOLS BEHIND DAMS, INTERSTATE AND STATE HIGHWAYS, POWER AND GAS TRANSMISSION LINES, INCORPORATED AREAS. IT WOULD BE MORE APPROPRIATE TO DROP THE CAP, ESTABLISH CRITERIA, AND PROVIDE THE NECESSARY CONDEMNATION AUTHORITY AND FUNDS TO ACQUIRE IN A TIMELY WAY THOSE LANDS MEETING THE CRITERIA.

WE BELIEVE THE GOVERNORS PROPOSAL PROVIDES THE FLEXIBILITY TO SAFEGUARD PRIVATE LANDS AND PROPERTY RIGHTS WITHOUT UNDUE FEDERAL INTERVENTION.

Senator **Hatfield**. Mr. Posekany.

STATEMENT OF DICK POSEKANY, TIMBER MANAGER, FRANK LUMBER CO.

Mr. **Posekany**. Good afternoon, Senator. I am Dick Posekany, timber manager, Frank Lumber Co. of Mill City, Oreg. I wish you'd please correct the witness schedule to list this identification.

Senator **Hatfield**. We'll do so. Thank you, very much, for making that correction.

Mr. **Posekany**. Our company is a small, family-owned, sawmill operation specializing in kiln-dried Douglas fir and hemlock lumber. Our employment has remained at about 150 people for the past several years. In addition, we furnish employment directly to another 100 to 125 persons through contractors who perform all our logging and road-building work.

Our saw-log supply is derived from Federal, State, and private sources. Since the commercial public forest-land base is constantly being reduced by wilderness lockups, single-use priority purposes, and general reclassification of the commercial forests, the assurance of a continuous, full, allowable cut from Government forests becomes increasingly uncertain.

This is very frightening to plants such as ours that historically cut about 75 percent public timber. We have, therefore, of necessity shifted greater attention to our private tree farm as a continuous supply of saw logs for our sawmill.

Our private forest lands are managed very intensely, down sometimes to 5-acre parcels. We prepare planting sites, plant genetically superior trees, precommercial thin when necessary, commercially thin, and harvest by clearcut to develop the maximum volume of Douglas fir timber per acre.

We also use all the other tools of intensive forest management—chemicals, fertilizers, fire, animal control, etc.

I am appearing before you today for Frank Lumber Co., and also on behalf of all commercial forest-land managers in the gorge area. You see, the management programs used by my company are basically similar to those of all private forest-land owners committed to the perpetuation of our forests under the management of professional foresters and logging engineers.

We ned to use the commercial forest land to its fullest capacity through wise management. In contrast, the U.S. Government, which is a substantial forest-land owner on the Oregon side, has avoided timber harvest in the gorge area for years under a visual-management, no-entry program. Taxes, protection, and other landowner costs go on increasingly on private land. We cannot leave our acres indefinitely idle.

The timberland we own in the gorge has been in timber-harvest programs since 1890. Despite this timber harvest and 85 to 90 inches of annual moisture, the creeks do not contain logs nor logjams, the soil has remained in place, and the current timber stand is of high quality and generally mature.

The acreage within the proposed national scenic area comprises nearly 10 percent of the Frank forestholdings. The silviculture of even-aged Douglas-fir mandates thinnings and final harvest by clearcut. We had a significant problem with blowdown on our land lying within the boundary of the Columbia River Gorge Commission. As recommended by the Columbia River Gorge Commission guidelines, we partially cut an area in 1981 that was wind-sheltered and not visible from the Columbia River, leaving approximately 40 percent crown cover.

In November and December 1981, most of what we left standing blew down. We had no choice but to go back and clearcut the stand in 1982. This second entry added to soil compaction, created additional loss through breakage, increased the logging costs, and we lost one or two seasons on the regeneration of a new forest.

This is indicative of conditions in the Columbia River Gorge area. The wind blows hard much of the year. Heavy ice storms are frequent. Insects abound in dead and down timber, and later attack green trees.

The Forest Service apparently feels that they can sustain these timber losses at public expense, but we private timberland owners cannot tolerate this waste and loss. We must use our commercial forestlands to their fullest. As private landowners, we plead of you, do not regulate the usage of our private commercial forests in the gorge under national police powers.

We believe the forest practice acts of Washington and Oregon have proven sufficient regulation for the wise management and harvest of private timber in the gorge. We feel the Governors' recent proposal is a more appropriate vehicle for better resolving the concerns of the Columbia River Gorge.

We do not support a national scenic area.

Thank you.

Senator HATFIELD. Thank you. Well timed.

[The prepared statement of Mr. Posekany follows:]

Testimony of
Dick Posekany, Timber Manager, Frank Lumber Co., Inc.
before the
Senate Subcommittee on Public Land and Reserved Water
on
Federal Columbia Gorge Legislation
Portland, Oregon
March 25, 1983

Good Morning!

I am Dick Posekany, Timber Manager, Frank Lumber Co., Inc., Mill City, Oregon. Our Company is a small family-owned sawmill operation specializing in kiln dried Douglas fir and Hemlock lumber. Our mill employment has remained at 150 over the past several years. In addition, we furnish employment directly to another 100/125 persons through contractors who perform all our logging and forest road building work.

Our sawlog supply is developed from federal, state and private sources. Since the commercial public forest land base is constantly being reduced by wilderness lockups, single use priority purposes and general reclassification of the commercial forest, the assurance of a continuous full allowable cut from the Government forests becomes increasingly uncertain. This is a very frightening situation to plants such as ours that historically cuts about 75% public timber. We have, therefore, of necessity, shifted greater attention to our private tree farm as a continuous supply of logs for our sawmill.

Our private lands are managed very intensely, down sometimes to 5 acre parcels. We prepare planting sites, plant genetically superior trees, precommercially thin when necessary, commercially thin and harvest by clearcut to develop the maximum volume of quality Douglas fir timber per acre. We also use the other tools of intensive forest management - - chemicals, fertilizers, burning, animal control, and such.

I am appearing before you today for Frank Lumber Co., Inc. and also on behalf of all commercial forest managers in the Gorge area. You see, the management programs used by my Company are basically similar to those of all private forest landowners committed to the perpetuation of our forests under the management of professional foresters and logging engineers. We need to use the commercial forest land to its fullest capacity through wise management. In contrast, the United States Government, who is a substantial forest landowner on the Oregon side, has avoided timber harvest in the Gorge area for years under a visual management, no entry, program. Taxes, protection, and other landowner costs go on increasingly on private land - - we cannot leave our acres indefinitely idle.

The timberland we own in the Gorge has been in a timber harvest program since 1890. In spite of this timber harvest and 85/90 inches of moisture annual average, the creeks do not contain logs or log jams, the soil has remained in place and the current timber stand is of high quality and generally mature. The acreage within the proposed National Scenic Area comprises nearly 10% of the Frank forest holdings.

The silviculture of even-aged Douglas fir mandates thinnings and final harvest by clearcut. We had a significant problem with blowdown on our land lying within the boundary of the Columbia River Gorge Commission. As recommended by Gorge Commission guidelines, we partially cut an area in 1981 that was wind-sheltered and not visible from the Columbia River leaving approximately 40% crown cover. In November and December 1981, most of what we left standing blew down. We had no choice but to go back and clearcut the timber stand in 1982. This second entry added to soil compaction, created additional loss through breakage, increased the logging cost, and we lost one or two seasons on the regeneration of the new forest.

This is indicative of conditions in the Columbia River Gorge area. The wind blows hard much of the year, heavy ice storms are frequent and insects abound in dead and down timber and later attack green trees. The Forest Service apparently feels that they can sustain these timber losses at public expense, but we private timber owners cannot tolerate this waste and loss. We must use our commercial forests to their fullest. As private landowners, we plead of you - - do not regulate the usage of our private commercial forest in the Gorge under national police powers. We believe the Forest Practice Acts of Washington and Oregon are proven sufficient regulation for the wise management and harvest of private timber in the Gorge. We feel the Governor's recent proposal is a more appropriate vehicle for better resolving the concerns of the Columbia River Gorge. We do not support a National Scenic Area.

Thank you.

Senator HATFIELD. Mr. Brown.

STATEMENT OF JACK R. BROWN, REGIONAL DIRECTOR, PUBLIC AFFAIRS AND COMMUNICATIONS, CROWN ZELLERBACH

Mr. BROWN. Thank you, Senator Hatfield. My name is Jack Brown and I'm representing Crown Zellerbach today.

My company owns approximately 15,000 acres of timberland in the Washington counties of Clark, Skamania, and Klickitat, some 7,000 acres of which are within the boundaries of the proposed national scenic area. We employ over 2,000 people at our Camas, Wash., pulp and paper mill at an annual payroll of $60 million. Currently, we have underway a $425 million modernization program which will keep the mill competitive and secure the economic future of Camas.

One of the main points I'd like today is that this large complex depends on the Columbia Gorge area sawmills and wood processing plants for 50 percent of its current wood chip supply from which pulp is made.

We utilize trimming and wood residuals from these mills, and these are trimmings that were formerly burned as waste in wigwam burners. From these mills: SDS Lumber Co., Bingen, Wash., and Cascade Locks; Broughton Lumber Co., Willard and Underwood, Wash.; High Cascade Lumber, Washougal, Wash.; Stevenson Co-Ply, Home Valley, Wash.; Hamilton Brothers, Washougal, Wash.; WKO Lumber, Carson, Wash.; Hanel Lumber, Odell, Oreg.

My company also sells sawlogs from our fee timberlands and public timber purchases ot most of these firms.

Crown Zellerbach and these sawmills are adversely impacted to the extent that further restrictions are placed on the wood supply in the Columbia Gorge area. We join the other timberland owners and sawmill operators in opposing the concept of a national scenic area because we perceive this legislation would foster further restrictions on forest management activities, reduce the level of timber harvest, and cut back the number of acres available for harvest.

Instead of the national scenic area proposal, we look to the list of principles and key elements developed by Governors Spellman and Atiyeh announced on March 15 as the most appropriate vehicle to resolve differences surrounding the current gorge controversy.

The second growth timberland which we are now managing was first logged in the 1870's, and was part of the Yacolt fire in 1902. Crown began purchasing this property after World War II. In the intervening years, we felled snags, we cleared the land, we planted seedlings, and generally rehabilitated the property.

The timber I describe is of varying age classes and it scheduled for harvest in segments as it reaches maturity. Another point I want to make is that we do not anticipate any exceptionally large areas of this timber being harvested at one time.

I think Mr. Posekany has covered the concept of visual management with the Forest Service and the problems that that same concept might present to private timberland owners—and I'll skip over that.

We firmly believe that the intent of Congress in Columbia Gorge legislation should recognize the compatibility of timber management with the diverse scenic qualities in the gorge. Where scenic preservation must take precedence over timber management on private property, the Congress, we believe, has the responsibility to appropriate sufficient funds or assure other means to acquire that land through purchase or exchange within a statutory time limit. In the absence of such provisions, a landowner is left with a cloud on his property, without the means to produce a fair return from the labors on his land.

I've provided you with two historic examples of some options on purchase and exchange. One is the botanical study area of Oneonta Falls, which was once owned by a predecessor company of Crown Zellerbach. When the desirability of preserving this parcel became apparent, the State of Oregon purchased the property outright. The other example is a portion of Larch Mountain, which is the water source for Multnomah Falls. This timberland was exchanged with our predecessor company and the U.S. Forest Service for timberland in south Clatsop and north Tillamook counties known as the Wheeler block.

Now, while purchase and exchange are options, maintaining the timber base and present State regulations over management of approximately 90,000 acres of private timberland in the gorge is essential to the economic vitality of highly-timber-dependent Columbia Gorge communities, especially since the removal last year of 66,000 acres of commercial timberland in the Mount St. Helens volcanic area designation.

Now, my company can support a single management plan for the gorge if the present regulations of timber management continue to apply. Again, we believe the proposals by the Governors of Oregon and Washington offer the best opportunity to preserve the scenic and economic diversity that has characterized the Columbia Gorge these many years.

Thank you.

Senator **HATFIELD**. Thank you.

[The prepared statement of Mr. Brown follows:]

STATEMENT OF JACK R. BROWN

REGIONAL DIRECTOR, PUBLIC AFFAIRS AND COMMUNICATIONS

CROWN ZELLERBACH, PORTLAND, OREGON

BEFORE

SENATE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

OPPOSING S.627

COLUMBIA RIVER GORGE

NATIONAL SCENIC AREA ACT OF 1983

MARCH 25, 1983

PORTLAND, OREGON

SENATOR HATFIELD:

MY NAME IS JACK R. BROWN, I RESIDE IN PORTLAND AND AM REGIONAL DIRECTOR, PUBLIC AFFAIRS AND COMMUNICATIONS FOR CROWN ZELLERBACH.

MY COMPANY OWNS APPROXIMATELY 15,000 ACRES OF TIMBERLAND IN THE WASHINGTON COUNTIES OF CLARK, SKAMANIA AND KLICKITAT, SOME 7,000 ACRES OF WHICH ARE WITHIN THE BOUNDARIES OF THE PROPOSED NATIONAL SCENIC AREA.

WE EMPLOY OVER 2,000 PEOPLE AT OUR CAMAS, WASHINGTON PULP AND PAPER MILL AT AN ANNUAL PAYROLL OF $60 MILLION. CURRENTLY, WE HAVE UNDERWAY A $425 MILLION MODERNIZATION PROGRAM WHICH WILL KEEP THE MILL COMPETITIVE AND SECURE THE ECONOMIC FUTURE OF CAMAS. THIS LARGE COMPLEX DEPENDS ON COLUMBIA GORGE AREA SAWMILLS AND WOOD PROCESSING PLANTS FOR 50 PERCENT OF ITS CURRENT WOOD CHIP SUPPLY FROM WHICH PULP IS MADE.

WE UTILIZE TRIMMINGS AND WOOD RESIDUALS FROM THESE MILLS:

SDS LUMBER COMPANY, BINGEN, WASHINGTON AND CASCADE LOCKS, OREGON
BROUGHTON LUMBER COMPANY, WILLARD AND UNDERWOOD, WASHINGTON
HIGH CASCADE LUMBER, WASHOUGAL, WASHINGTON
STEVENSON CO-PLY, HOME VALLEY, WASHINGTON
HAMILTON BROTHERS, WASHOUGAL, WASHINGTON
WKO LUMBER, CARSON, WASHINGTON
HANEL LUMBER, ODELL, OREGON

MY COMPANY ALSO SELLS SAWLOGS FROM OUR FEE TIMBERLANDS AND PUBLIC TIMBER PURCHASES TO MOST OF THESE FIRMS.

CROWN ZELLERBACH AND THESE SAWMILLS ARE ADVERSELY IMPACTED TO THE EXTENT THAT FURTHER RESTRICTIONS ARE PLACED ON THE WOOD SUPPLY IN THE COLUMBIA GORGE AREA. WE JOIN OTHER TIMBERLAND OWNERS AND SAWMILL OPERATORS IN OPPOSING THE CONCEPT OF A NATIONAL SCENIC AREA BECAUSE WE PERCEIVE THIS LEGISLATION WOULD FOSTER FURTHER RESTRICTIONS ON FOREST MANAGEMENT ACTIVITIES; REDUCE THE LEVEL OF TIMBER HARVEST AND CUT BACK THE NUMBER OF ACRES AVAILABLE FOR HARVEST.

INSTEAD OF THE NSA PROPOSAL WE LOOK TO THE LIST OF PRINCIPLES AND KEY ELEMENTS DEVELOPED BY GOVERNORS SPELLMAN AND ATIYEH ANNOUNCED ON MARCH 15 AS THE MOST APPROPRIATE VEHICLE TO RESOLVE DIFFERENCES SURROUNDING THE CURRENT GORGE CONTROVERSY.

THE SECOND GROWTH TIMBERLAND WHICH WE ARE ACTIVELY MANAGING, WAS FIRST LOGGED IN THE 1870'S, AND WAS PART OF THE 200,000 ACRE YACOLT FIRE IN 1902. MY COMPANY PURCHASED THE MAJOR PORTIONS OF THIS PROPERTY SHORTLY AFTER WORLD WAR II. IN THE INTERVENING YEARS, WE FELLED SNAGS, CLEARED THE LAND, PLANTED SEEDLINGS AND GENERALLY REHABILITATED THE PROPERTY. THE TIMBER THAT I DESCRIBE IS OF VARYING AGE CLASSES AND IS SCHEDULED FOR HARVEST IN SEGMENTS AS IT REACHES MATURITY. THE POINT I WOULD MAKE IS THAT WE DO NOT ANTICIPATE ANY EXCEPTIONALLY LARGE AREAS OF THIS TIMBER BEING HARVESTED AT ONE TIME.

THE COLUMBIA RIVER GORGE COMMISSIONS OF OREGON AND WASHINGTON RECOGNIZED THE "COMPATIBILITY OF TIMBER MANAGEMENT AND A REASONABLE GOAL OF A BALANCE BETWEEN NATURE AND GROWTH" IN THEIR 1976 RESOURCE MANAGEMENT PROGRAM FOR THE GORGE. TODAY THE PLANTING AND HARVESTING OF TIMBER IS REGULATED BY THE STATES OF OREGON AND WASHINGTON UNDER PROVISIONS OF THEIR RESPECTIVE STATE FOREST PRACTICES ACTS WHICH ARE RECOGNIZED AS "BEST MANAGEMENT PRACTICES" UNDER THE FEDERAL WATER POLLUTION CONTROL ACT.

LOGGING ON U.S. FOREST SERVICE LANDS GENERALLY MEETS THESE REQUIREMENTS, AND EXCEEDS THEM IN SPECIAL VISUAL MANAGEMENT AREAS WHERE FEWER TREES ARE HARVESTED. WHILE THE SO-CALLED VISUAL MANAGEMENT DESIGNATION MAY BE APPROPRIATE FOR CERTAIN LARGER TRACTS OF PUBLIC TIMBER, IT PRESENTS PROBLEMS FOR SMALLER, PRIVATE TRACTS OF TIMBERLAND. UNDER THE PROPOSED LEGISLATION, THE U.S. FOREST SERVICE WOULD HAVE THE RESPONSIBILITY TO DRAFT A MANAGEMENT PLAN FOR THE GORGE, INCLUDING PRIVATE LANDS OUTSIDE THE APPROVED URBAN GROWTH BOUNDARIES OF INCORPORATED CITIES AND TOWNS.

PAGE 3

IN ALL PROBABILITY A FEDERAL MANAGEMENT PLAN WOULD IMPOSE HARVESTING RESTRICTIONS MORE STRINGENT THAN THOSE UNDER WHICH WE PRESENTLY OPERATE. AS TIMBERLAND OWNERS, WE ARE CONCERNED THAT THESE RESTRICTIONS COULD REDUCE THE ABILITY OF A LANDOWNER TO GAIN A FAIR RETURN FROM HIS TIMBER INVESTMENT.

WE FIRMLY BELIEVE THAT THE INTENT OF CONGRESS IN COLUMBIA GORGE LEGISLATION SHOULD RECOGNIZE THE COMPATIBILITY OF TIMBER MANAGEMENT WITH THE DIVERSE SCENIC QUALITIES IN THE GORGE. WHERE SCENIC PRESERVATION MUST TAKE PRECEDENCE OVER TIMBER MANAGEMENT ON PRIVATE PROPERTY, THE CONGRESS, WE BELIEVE, HAS THE RESPONSIBILITY TO APPROPRIATE SUFFICIENT FUNDS OR ASSURE OTHER MEANS TO ACQUIRE THAT LAND THROUGH PURCHASE OR EXCHANGE WITHIN A STATUTORY TIME LIMIT. IN THE ABSENCE OF SUCH PROVISIONS, A LANDOWNER IS LEFT WITH A CLOUD ON HIS PROPERTY WITHOUT THE MEANS TO PRODUCE A RETURN FROM THE LABORS ON HIS LAND.

TWO SOMEWHAT HISTORIC EXAMPLES MAY BE RELEVENT:

A TWENTY-ONE MILE SECTION IN THE HEART OF THE GORGE ON THE OREGON SIDE, INCLUDING THE BOTANICAL AREA OF ONEONTA FALLS, WAS ONCE OWNED BY CROWN ZELLERBACH'S PREDECESSOR COMPANY. WHEN THE DESIRABILITY OF PRESERVING THIS PARCEL BECAME APPARENT, THE STATE OF OREGON PURCHASED THIS PROPERTY OUTRIGHT.

MY COMPANY ALSO OWNED TIMBERLAND ON LARCH MOUNTAIN WHICH IS PART OF THE WATER SOURCE FOR MULTNOMAH FALLS. THIS TIMBERLAND WAS EXCHANGED WITH THE U.S. FOREST SERVICE FOR TIMBERLAND IN SOUTH CLATSOP AND NORTH TILLAMOOK COUNTIES KNOWN AS THE WHEELER BLOCK.

WHILE PURCHASE AND EXCHANGE ARE OPTIONS, MAINTAINING THE TIMBER BASE AND PRESENT STATE REGULATION OVER MANAGEMENT OF APPROXIMATELY 90,000 ACRES OF PRIVATE TIMBERLAND IN THE GORGE IS ESSENTIAL TO THE ECONOMIC VITALITY OF HIGHLY TIMBER-DEPENDENT COLUMBIA GORGE COMMUNITIES--ESPECIALLY SINCE THE REMOVAL LAST YEAR OF 66,600 ACRES OF COMMERCIAL TIMBERLAND IN THE MT. ST. HELENS VOLCANIC AREA DESIGNATION.

ALSO TO BE CONSIDERED IS THE POTENTIAL LOSS FROM WILDERNESS WITHDRAWAL OF AN ADDITIONAL 236,000 ACRES OF COMMERCIAL FOREST IN THE GIFFORD PINCHOT AND MT. HOOD NATIONAL FORESTS TRIBUTARY TO THE GORGE.

WE CAN SUPPORT A SINGLE MANAGEMENT PLAN FOR THE GORGE, IF THE PRESENT REGULATIONS OVER TIMBERLAND MANAGEMENT CONTINUE TO APPLY. AGAIN, WE BELIEVE THE PROPOSALS BY THE GOVERNORS OF OREGON AND WASHINGTON OFFER THE BEST OPPORTUNITY TO PRESERVE THE SCENIC AND ECONOMIC DIVERSITY THAT HAS CHARACTERIZED THE COLUMBIA GORGE THESE MANY YEARS.

THANK YOU.

# # # # #

0388B
3/25/83
JRB/lkc

Senator HATFIELD. Ms. Karlsson.

STATEMENT OF ELEANOR KARLSSON, COLUMBIA GORGE CHAIRPERSON, WASHINGTON WOMEN IN TIMBER

Ms. KARLSSON. Good afternoon, Senator Hatfield, and ladies and gentlemen. My name is Eleanor Karlsson, and I am the Columbia Gorge chairperson for Washington Women in Timber.

Washington Women in Timber is an organization of women in Washington who support sound management and use of forest resources. I'm here today to present our position on the management of the forest resources of the Columbia Gorge.

Washington Women in Timber favors conservation of resources in the Columbia Gorge. Examples of resources include scenic beauty, timber, recreation, and human cultural activities. We would not favor any singular resource over the exclusion of other resources, nor would we endorse any proposal supporting the preservation of the Columbia Gorge.

Washington Women in Timber supports local land use planning in the gorge. Proposed legislation in the 98th Congress favors one resource—that of scenery—to the exclusion of other resources in the Columbia Gorge. We are concerned about the effects of such single-use management on the timber resources.

With the proposed legislation, S. 627 and H.R. 1747, the Columbia River Gorge National Scenic Area comprises 310,000 acres, and 31,000 acres of the total national scenic area are classified as "critical viewshed areas" in the Columbia Gorge. Approximately 17,000 acres of the critical area are in Skamania County. Therefore, Skamania County will bear 60 percent of the entire critical area acreage of the gorge.

Timberland comprises 9,300 acres of the 17,000 acres of critical area. That leaves timber management severely restricted or eliminated in 60 percent of Skamania County's lands within the critical area.

Let us assume that the 9,300 acres of timberland would be acquired by the Secretary of Agriculture. The valuation of that land, not including the stumpage value, would cost the U.S. Government approximately $33 million, assuming a conservative value of $3,500 per acre. Acquisition of timberlands by the Federal Government would eliminate current revenue to Washington State and Skamania County for the tax collected on harvested timber.

The labor force of Skamania County is dependent on the logging and milling industries. Skamanians do not have the diversified industry of larger cities in the gorge. In some years, such as 1977, these industries provided one-third of the jobs. With one-third of the income in the area dependent on timber harvest, the local merchants are indirectly very dependent on timber harvest, the local merchants are indirectly very dependent on that income for their survival.

If our timberlands are either acquired or rendered inoperative as critical areas, we deny our children the gift of the future. That gift is one of ongoing, fully managed timberlands in the Columbia River Gorge.

I would like to show you a panorama of photographs depicting the results of the Yacolt fires from 1902 to 1929, which resulted in a wasteland of snags. Through the effort of local management, these gorge slopes are now covered with healthy, green, growing timber.

I'll leave this. You can look at this. I do need it back, but I'll give it to you on my way out.

Senator HATFIELD. Thank you very much, Ms. Karlsson.

[The prepared statement of Ms. Karlsson follows:]

WASHINGTON WOMEN IN TIMBER
P.O. Box 473, Olympia, Washington 98507

Washington Women in Timber
POSITION ON THE COLUMBIA GORGE
Adopted by the Board of Directors August 30, 1982
Updated March 21, 1983

Background

The Columbia River Gorge is recognized nationally for its unique geological and physical features. Preservation of the unique beauty of the Columbia Gorge was proposed as early as 1946 by the Portland Women's Forum. Increased travel and usage of recreational lands, primarily on national forest ownership on the Oregon side of the Gorge, has renewed interest in preservation of this scenic corridor.

Position

Washington Women in Timber favors conservation of resources in the Columbia Gorge. Examples of the resources include scenic beauty, timber, recreation and human cultural activities. We would not favor any singular resource over the exclusion of other resources. Nor would we endorse any proposal supporting the preservation of the Columbia Gorge. Washington Women in Timber supports local land use planning in the Gorge.

Rationale

Proposed legislation in the 98th Congress favors one resource, that of scenery, to the exclusion of other resources in the Columbia Gorge. Washington Women in Timber is concerned about the effects of such single use management on the timber resources.

With the proposed legislation (S. 627 and H. 1747) the Columbia River Gorge National Scenic Area (NSA) comprises 310,000 acres. Approximately 31,000 acres of the total NSA are classified as critical viewshed area in the Columbia Gorge. Approximately 17,000 acres of the critical area are in Skamania County. Therefore Skamania County will bear 60% of the entire critical area acreage of the Gorge (data from Skamania County Assessor, 8/23/82).

Timberland comprises 9,300 acres of the 17,000 acres critical area. That leaves timber management severely restricted or eliminated on 60% of Skamania County lands within this critical area. Let us assume that these 9,300 acres of timberland would be acquired by the Secretary of Agriculture. The valuation of the land not including the stumpage value would cost the United States Government approximately $33,000,000 assuming a conservative value of $3,500/acre (data from Skamania County Assessor, 8/23/82).

Acquisition of timberlands by the federal government would eliminate current revenue to Washington State and Skamania County from the state excise tax collected on harvested timber.

Such acquisition, incidentally, is not consistent with President Reagan's New Federalism, an aspect of which is a return of land management authority to state and local professional resource managers, including a return to local fiscal responsibility.

Washington Women in Timber supports conservation of the Columbia Gorge with local land use planning. Oregon Society of American Foresters, a professional group of foresters, also supported the concept of using local land use planning to resolve resource conflicts in the Columbia Gorge (Oregon Society of American Foresters, A Position On The Management Of The Columbia River Gorge, 7/17/82).

The labor force in Skamania County is dependent on the logging and milling industries. Skamanians do not have the diversified industries of the larger cities in the Gorge. The lumber and wood products industries provided an average of one-quarter of the employment in Skamania County from 1977 to 1980. In some years, such as 1977, these industries provided one-third of the jobs (data from Ron Wahlers, Research and Analysis Branch, Washington State Employment Security Department, Olympia, 8/16/82). In addition, the local merchants depend on the trade from the logging and milling workers in Skamania County.

If our timberlands are either acquired or rendered inoperative as "critical areas," we deny our children the gift of the future. That gift is one of on-going fully managed timberlands in the Columbia River Gorge.

Washington Women in Timber (WWIT) is an organization of women in Washington who support sound management and use of forest resources. Its members believe science and technology, combined with environmental care, can provide a sustained flow of forest products without damaging the environment. The first chapter of WWIT was formed in April, 1980. WWIT now has over 200 members across the state. It is affiliated with Federated Women in Timber which represents over 1,400 women in the states of California, Idaho, Montana, Alaska and Washington.

Senator **Hatfield**. Thank you all for a very fine panel.

I would like now to invite Mr. Lindstrom, Mr. Hemingway, a representative of the Port of The Dalles, Russ Brink, and a representative of the Port of Skamania.

All right, Mr. Lindstrom. I guess you're first out of the box.

STATEMENT OF STEPHEN R. LINDSTROM, EXECUTIVE VICE PRESIDENT, PACIFIC NORTHWEST WATERWAYS ASSOCIATION

Mr. **Lindstrom**. Thank you, Senator Hatfield, and good afternoon. I'm Stephen R. Lindstrom, executive vice president of the Pacific Northwest Waterways Association. We very much appreciate the opportunity to present testimony before this subcommittee today.

As you may know, PNWA is a broad-based, regional interest group which has, for 49 years, pursued the comprehensive planning and development of the water and related land resources in the Pacific Northwest and Alaska. We firmly believe that a healthy environment and a healthy economy can coexist.

Our roots lie in the Columbia Gorge and the hinterland beyond. In 1934, a number of towboat and farm interests gathered to express an interest in a lock at Bonneville Dam in order that navigation be permitted to continue on the Columbia River system. From that gathering rose the organization now known as PNWA.

Since that time, our membership and field of interest have both expanded substantially; but, our interest in the Columbia River Gorge and the continued multiple use of its resources remains keen.

Just as an aside, I'd like to commend you, Senator, and your staff, for the obvious efforts in reaching a broad base of interest on this topic today. Fifty-three witnesses in 1 day is a behemoth undertaking, and I appreciate the sweat equity in that effort.

Senator **Hatfield**. Thank you, very much. We tried to make it a very broadly representative group, and take care of as many as possible in 1 day.

Mr. **Lindstrom**. It's a terrific undertaking.

PNWA here today wants to enunciate three points:

First, we remain gravely concerned about the fate of the gorge and the people therein.

Second, we support a bi-State approach to problem solving in the gorge.

Third, we strongly oppose the imposition of Federal land use planning and management upon the gorge as embodied in S. 627.

We have several reasons for opposing S. 627. I'll enumerate sort of a summary of them, and then provide some additional written material to the subcommittee.

First, the growth predicted by those intending to lock up the gorge has not materialized, and too many of us probably will not. Growth in the gorge occurred at a rate of 17.3 percent for the 20-year period 1960 to 1980, while in the Portland metropolitan area growth occurred at a 51-percent rate. Now, I hasten to add that's population growth, not area growth.

Second, we're skeptical that concerns about control of the Federal agencies and their activities can be addressed through the creation of a new Federal entity.

Third, consignment of the label "merely a corridor" by supporters of further Federal control demonstrates a sad lack of understanding of the multiple dimensions of the gorge's contribution to our regional and national well-being.

Fourth, leadership of the U.S. Forest Service and the U.S. Park Service are on record saying they do not want to become further involved in local land use planning and management issues.

Fifth, serious questions arise about the discrepancies between what the proponents say is contained in S. 627 and the way the bill actually reads. The misconstruction of opportunities is severe, in our opinion, and very few provisions, if any, are made—as a matter of fact, in my opinion, no provisions are made for the enhancement or improvement of existing hydroelectric generation, transportation, local industry, transmission lines, or other normal extensions of existing human enterprise.

Sixth, we've seen that a spokesman for the self-labeled Friends of the Columbia Gorge has been quoted, saying "it's regulation by intimidation," about the Packwood bill—not a pretty prospect, in our opinion.

I would also note that—and I hope this is within the decorum of a Senate subcommittee hearing—but, I was personally offended this morning when some of the metropolitan proponents of the Packwood bill came in here, condescendingly, actually through mouthpieces rather than personally, and demonstrated a virtual arrogance in describing everything in the world that moves or lives as a natural resource except human beings. That just does not sit well in what I consider a multiple-use mix in the Columbia Gorge, or anywhere for that matter.

Next, the guise under which the current legislation is being promoted to a large degree is tourism. Several serious questions arise about the validity of promotion by the Federal Government of one area of the country over another for emphasis and exploitation by tourists.

Why not nationalize Washington Park, Forest Park, and their viewsheds, including the Portland waterfront and Rivergate?

Our final comment in opposition to the pending legislation—a reasonable alternative exists if we are, indeed, concerned about results and not just process.

We find a number of reasons to support the approach to gorge land use planning and management set forth by the Governors of Oregon and Washington recently. The concept of a bistate commission can and will work with considerable savings of time, money, and anguish, and without any diminution of current State and Federal powers.

Local governments, especially in Washington State, will yield substantially because of the oversight powers such a commission would have regarding changes in local land use plans. However, broad representation on the commission could help assuage that departure from tradition.

In summary, PNWA strongly supports bistate provisions for the protection of the Columbia River Gorge, assuming that additional control is perceived as necessary. We pledge to continue to provide assistance and information in the formulation of the necessary legislation, and will cooperate to whatever degree necessary to implement it.

Thank you very much, Senator.

Senator **Hatfield**. Thank you, very much, and your entire statement will be placed in the record.

[The prepared statement of Mr. Lindstrom follows:]

TESTIMONY OF
PACIFIC NORTHWEST WATERWAYS ASSOCIATION

TO

THE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER
OF THE SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

BY STEPHEN R. LINDSTROM, EXECUTIVE VICE-PRESIDENT

MARCH 25, 1983

Pacific Northwest Waterways Association
Post Office Box 61473
Vancouver, Washington 98666
(206) 699-4666

Good Day, Mr. Chairman.

I am Stephen R. Lindstrom, Executive Vice-President of the Pacific Northwest Waterways Association. PNWA very much appreciates the opportunity to present testimony before this Subcommittee today.

As you may know, PNWA is a broad-based regional interest group which has for 49 years pursued the comprehensive planning and development of the water and related land resources of the Pacific Northwest and Alaska. We firmly believe that a healthy environment and a healthy economy can co-exist.

Our roots lie in the Columbia Gorge and the hinterland beyond. In 1934, a number of towboat and farm interests gathered to express an interest in a lock at Bonneville Dam in order that navigation be permitted to continue on the Columbia River System. From that gathering rose the organization now known as PNWA. Since that time our membership and field of interest have both expanded substantially, but our interest in the Columbia River Gorge and the continued multiple use of its resources remains keen.

We are here today to enunciate three points: 1. PNWA remains gravely concerned about the fate of the Gorge and the people therein; 2. PNWA supports a bi-state approach to problem-solving in the Gorge; and, 3. PNWA strongly opposes the imposition of federal land use planning and management upon the Gorge.

PNWA opposes legislation of the nature recently introduced by some members of the Oregon Congressional delegation for several reasons:

1. The growth predicted by those intending to lock up the Gorge has not materialized, and to many of us, will not. Growth in the Gorge occured at the rate of 17.3% for the 20-year period 1960-30, while in the Portland Metropolitan area growth occured at a 51% rate.

2. We are skeptical that concerns about the control of federal agencies and their activities can be addressed through the creation of a new gederal entity.

3. The consignment of the label "merely a corridor" by supporters of further federal control demonstrates a sad lack of understanding of the multiple dimensions of the Gorge's contribution to our regional and national well-being.

4. Leadership of the U.S. Forest Service and the U.S. Park Service are on record saying they do not want to become further involved in local land use planning and management issues.

5. Serious questions arise about the discrepancies between what the proponents say is contained in the "Packwood Bill" and the way the Bill actually reads. The misconstruction of opportunities is severe. No provisions are made for the enhancement or improvement of existing hydroelectric generating, transportation, local industry, transmission lines or other normal extensions of existing human enterprise.

6. A spokesman for the so-called "Friends of the Columbia Gorge" have been quoted saying "It's regulation by intimidation" about the Packwood Bill, not a pretty prospect in our opinion.

7. The guise under which the current legislation is being promoted to a large degree, is tourism. Serious questions arise about the validity of promotion of one area of the country over another for emphasis and exploitation by tourists. Why not "Nationalize" Washington Park, Forest Park and their viewsheds, including the Portland waterfront and Rivergate?

8. Our final comment in opposition to the pending legislation. A reasonable alternative exists.

PNWA finds a number of reasons to support the approach to Gorge land use planning and management set forth by the Governors of Oregon and Washington recently.

1. The concept of a bi-state commission can and will work with considerable savings of time, money and anguish and without any diminution of current state and federal powers. Local governments will yield substantially, especially in Washington, because of the oversight powers such a Commission would have regarding changes in local land use plans. However, broad representation on the Commission could help assuage that departure from tradition.

2. Legislation could be easily drafted with safeguards provided for many of the concerns raised by ourselves and others.

3. Bi-state support exists for the alternative.

4. Independence can be assured through the type of management and funding utilized successfully for several by entities such as the Pacific Northwest Regional Commission, whereby the Governor's had policy discretion, but expenditures were subject to federal audit and accountability requirements.

5. The Governor's proposal provides much more balance in addressing the current and future realities of multiple use of the resources in the Gorge, both human and others. Transportation, hydropower, conservation, preservation, aesthetics, historical, economic development, education and other interests could be provided for in a normal manner, rather than through a process of complicated exceptions to the status quo as required in the "Packwood Bill".

In conclusion, PNWA strongly supports bi-state provisions for protection of the Columbia River Gorge, assuming that additional control is perceived as necessary. We pledge to continue to provide assistance and information in the formulation of the necessary legislation and will co-operate to whatever degree necessary to implement it.

Thank you for this opportunity to express our views on this very important matter.

Senator **Hatfield.** Mr. Hemingway.

STATEMENT OF BILL HEMINGWAY, PRESIDENT, MID-COLUMBIA MARKETING

Mr. **Hemingway.** I also thank you, Senator, for the opportunity to be here today and make this presentation. I'm here representing an organization called Mid-Columbia Marketing and our port district in Klickitat County.

Just for your background, and maybe some other people aren't familiar, Mid-Columbia Marketing is an organization formed regionally, across State lines, across county lines, between municipalities, between chambers of commerce, port districts, in the Columbia River Gorge, without any help from any other organization on the outside forcing us in that direction. We felt that we had some common goals and directions that needed to be addressed regarding the economy, and we used existing statutory capabilities to form this private, nonprofit corporation to address those issues.

In a marketing sense and, of course, I'm here to look at this issue today from an economic point of view primarily, from a marketing sense we see the value of the scenic and esthetic qualities of the gorge as being a very necessary and important asset that we have to work with in promoting the mid-Columbia area. Obviously, from a livability and tourism perspective, some reasonable assurance that the magnificence of the gorge will continue has to be maintained for the future, and it's got to be a key issue in our marketing plans.

The preservation requirements, however, have to be viewed on balance with the total activity and potential of the area. It's got to consider the impact on the faltering local economy, and any potentially adverse repercussions to the vitally important trade and transportation corridor in the gorge.

We must also keep in mind that this is not a pristine area, hasn't been for over a century, and historically has been a multiple-use area.

Since our economic interests are based primarily in the gorge, we're vitally concerned about the people who live there. There are some 41,000 people, as you've heard earlier. They live here by choice. They accept the remoteness of the area; they accept the farm, the ranch, the hard life in the woods. They play Russian roulette with the seasonal and cyclical unemployment that we have to deal with in this area.

But, these are independent people, for the most part, who identify very closely with the land. We have to consider, more than anything else, just what impact a major change of philosophy of governing this area might have on these people. Will it enhance their ability to hold a viable, primary, wage-earning job? Will it improve the family's standard of living? Will the new system be responsive to their needs? Will it infringe upon their individual property rights?

Now, others may have some modicum of legitimate interest in the gorge and its management, but these are the people who will have to live with the system on a daily basis. Those are the people that need to be most seriously considered with regard to the impact of any sort of legislation.

Senator, in the interest of time and redundancy, I'm going to skip a couple of parts, and move on.

I'd like to talk directly about the bill that's being proposed, S. 627. There are three major areas in this bill that personally I don't think we can live with in the gorge.

First of all, the bill, no matter how you slice it, the final say-so in everything is the Secretary of Agriculture. The other Commission is strictly advisory.

The provision in there which appears to impose a limitation of only 10 percent condemnation really is not much of a limitation at all. You're talking about the potential to condemn almost 50 square miles of land. If you consider the geography of the gorge and what's already in Federal ownership, that's really no limitation at all.

The third area which is of vital concern is the provisions in here that exempt certain areas, and the standards by which those provisions are developed. This is basically a rural area, and there's a number of important commercial and residential centers that are not incorporated and not in any sort of urban growth boundary. How are they going to be treated? The Dallesport peninsula is a particular case in point. Every study that you'll ever pick up regarding the gorge and commercial and industrial activity indicates that that will someday probably be the industrial and manufacturing center for the entire mid-Columbia. Right now, if this legislation were to be imposed as it's written, we would have to cease the operations. Several million dollars have been invested already, and the infrastructure to support that would be gone.

The activity that's already occurring, based on these kinds of future projections, would be lost.

I'd just like to summarize by saying a couple of things here that are not on my text.

I've noted here today that we've had a number of elected officials speak. I think it's important to take a look at who they were.

Not one of the elected officials outside the gorge area actually appeared in person. Some surrogate appeared for him. Within the gorge, almost every one of them has been the actual official himself. I think that represents the actual level of interest and impact this legislation might have.

Thank you.

Senator HATFIELD. Thank you.

[The prepared statement of Mr. Hemingway follows:]

MID-COLUMBIA MARKETING
AND COLUMBIA GORGE VISITORS' ASSN.
P. O. Box 118
Hood River, OR 97031
(503) 386-6262

Testimony submitted by Bill Hemingway, President, Mid-Columbia Marketing, regarding proposed legislation for federal management of the Columbia River Gorge. Senator Mark Hatfield's hearing, March 25, 1983.

Thank you, Senator Hatfield, for the opportunity to present testimony here today. The organization I represent, Mid-Columbia Marketing, has considerable at stake in the Columbia River Gorge. We are a private, non-profit corporation formed to promote business, industrial and tourism development in the Mid-Columbia region -- which, as you are well aware, includes the Gorge area. MCM represents the cooperative effort of public and private interests in both Oregon and Washington, five counties in both states, and a dozen or so communities. Ports, Chambers of Commerce, government and private business in the region are involved.

In a marketing context, we certainly see the value of the scenic and aesthetic qualities of the Gorge -- these characteristics are some of our greatest assets in promoting the Mid-Columbia. Obviously, from a livability and tourism perspective, some reasonable assurance that the magnificence of the Gorge will continue to be maintained for the future has to be a key consideration in our marketing plans.

The preservation requirements, however, must be viewed on balance with the total activity and potential of the area. It must consider the impact on the faltering local economy, and any potentially adverse repercussions to the vitally important trade and transportation corridor through the Gorge. We must remind ourselves that this area hasn't been pristine for a century or more and that it has historically been a multiple-use area.

We must be keenly aware of the fact that there are some 41,000 people who live in the Gorge. They live here by choice, willing to put up with a certain amount of remoteness, accept the hard life of the farm, ranch or the woods, and play russian roulette with seasonal and cyclical unemployment. They are, for the most part, very independent people who identify very closely with the land. We have to consider, more than anything else, just what impact a major change in the philosophy of governing this area might have on these people. Will it enhance their ability to hold a viable primary wage earning job? Will it improve the family's standard of living? Will the new system be responsive to their needs? Will it infringe upon their individual property rights? Others may have some modicum of legitimate interest in the Gorge and its management, but these people will have to live with the system on a daily basis.

We need to realistically analyze the threat to the scenic and natural values of the Gorge. Is significant destruction eminent, or is there a lot of over-reaction and manipulation taking place? Is a new bridge across the Columbia River, only three miles closer, really a significant threat to bring urban sprawl to the Gorge (especially if you have to consider commuting over Cape Horn in the winter)? Does the Gorge look better or worse than it did 50 years ago (when we allowed extensive clear cutting and didn't have modern fire fighting techniques)? Are our state and local officials incapable of adequate land use planning and regulation?

Senate Bill 627 seems an over-reaction to the situation. Until the other less complex and probably considerably less costly state and local alternatives are exhausted, it seems premature to seriously consider a federal solution. Without nit picking the bill, I'd like to point out three areas of major concern.

First, although there is language which appears to address a considerable "local" participation in the management process of the Gorge through a Regional Commission, let us not be confused as to where the power really lies. It is not with the "people" -- the Commission's powers are advisory, with the ultimate decisions being made by the Secretary of Agriculture. No matter how you "slice it", state and local jurisdictions are giving up significant authority. Ultimate control is passing from elected, representative government to the politically appointed federal bureaucracy.

I also don't find it any easier to sleep at night because there is a provision that only 10% of the total acreage can be condemned. That could mean that up to almost 50 square miles of private land could be acquired by the federal government, without the willing consent of the legal owners. When you consider the geography of the Gorge and the amount of land already in public ownership, that really isn't a limitation at all.

The final specific area of concern that I'd like to address has to do with the parameters for determining "exempted" areas within the recognized Gorge -- areas not to be included in legislation. Exempted areas are only those named "incorporated towns and cities" and their "urban growth boundaries", as existed prior to July 1, 1981. This is an area that is somewhat rural in character, with a number of viable unincorporated residential and commercial centers. How are they to be treated? The Dallesport Peninsula is an area that all studies indicate has the potential to be the industrial and manufacturing center for the entire Mid-Columbia. It is not in an incorporated area, nor within any forseeable urban growth boundary, yet it is zoned properly for economic development,withthe beginning of that growth already commencing. The provisions of Section 5 in the bill don't provide the means to adequately address these situations. All of these concerns existed in last year's version of this bill. It is somewhat disappointing to see that they haven't really been dealt with in the new legislation.

By definition, MCM is vitally concerned about the economy of the Mid-Columbia. We don't see the current version of this Gorge Management bill as providing the framework to allow a viable or more diversified economy for the region. If there is a need for more cooperation and uniformity in the treatment of the Columbia River Gorge, then an approach such as that recently espoused by Gov. Spellman and Gov. Atiyeh seems more appropriate.

While, at this point, all the details of their proposal have not been completely worked out, their concept would provide a system whereby the decision-making authority remains with the people of the area, and is more representative of and responsive to their needs. The Governors seem to be sensitive to the desires of the people. They have studied the polls and surveys. They have talked to the elected officials that represent the area. They realize that the area's residents are responsible, concerned citizens as interested in maintaining the continued majesty of the Columbia River Gorge as anyone else. But, these are proud, independent people who don't want to become wards of the federal bureaucracy -- they want to have the same control over their destinies as is afforded the citizens of Portland, Spokane, or Puget Sound. They believe that the mechanism to coordinate the management of the Gorge should remain focussed at the local level.

MCM can relate to this direction. Even in the little less than a year that our organization has been functioning, we believe we offer a pretty fair example of how local government, business, industry, civic organizations and private citizens can come together to cooperatively address a problem or situation. We formed MCM across state, county and other municipal boundaries, utilizing existing statutory authority. We recognized that our mutual interests and concerns transcended any geographical or political lines, so we dealt with it, and moved on to tackle the real business at hand. We believe the valuable assets and resources of this magnificent area can best be managed, and our ultimate goals of providing more jobs and a better standard of living for the area's residents can best be realized under a local partnership arrangement -- without the threat of federal domination.

Bill Hemingway, President
Mid-Columbia Marketing

Senator HATFIELD. Now, a representative from the Port of The Dalles.

STATEMENT OF JOHN W. RAYBURN, PORT DIRECTOR, PORT OF THE DALLES

Mr. RAYBURN. Thank you, Senator Hatfield. I'm John Rayburn, the port director at the Port of The Dalles.

Members of the subcommittee, ladies and gentlemen of the audience, I appreciate the opportunity to deliver this testimony before this esteemed body.

The Port of The Dalles is one of the oldest ports in the Columbia Gorge area addressed by S. 627. This year, 1983, the Port Commission and the area it serves will be celebrating the port's 50th anniversary. The commission believes its longevity and direction given it by the Oregon legislature through the statutory authority for port districts qualifies it as a proper public authority to address the legislation being considered today.

If one read only the purposes of the Columbia River Gorge Act of 1983, it would be hard pressed to disagree with the intent of the act providing they were familiar with the area in question. We believe every citizen who lives in the gorge or who has visited the gorge is well aware of its uniqueness to this Earth.

Unfortunately, if one reads the act in its entirety, one would have the impression that the people who live in the area designated are rapers and pillagers of their own environment. We are sure this impression was not intended, but it is there, nonetheless, to the reader.

For all of us here today, history does not bear this out. In fact, just the opposite is true. We believe this is due to two facts.

First, Mother Nature, through her Architect, designed the gorge in such a way that the intrusion by mankind would be limited in nature. The geography of the area has allowed for limited intrusion by man, so that he has been able to utilize his God-given knowledge in a compatible manner with his environment. This is not unique to the gorge area, it's been this way since mankind first appeared on Earth.

This is not to say that mankind is without errors in his use of knowledge as it relates to the environment. But, as mankind's knowledge has increased about his environment, so has his respect and compatibility with that environment grown.

We now have before us a piece of legislation that will attempt to preserve the uniqueness of the area of the Columbia River Gorge. Those who favor the legislation, for the most part, are not the same people who live and make up the daily economy of the gorge. If the voices of those who live in the Columbia Gorge is heard above all the rhetoric before the introduction of this legislation and all the rhetoric yet to come, we believe one simple message will be heard. That message says we, too, want to preserve the scenic and natural values and quality of life that are present in the Columbia River Gorge area; but, we do not want to be told how to preserve these values by someone who is 3,000 miles away.

This legislation proposes to resolve all of the existing and potential differences between various affected jurisdictions now operating in the gorge. How is this to be accomplished? If you read the findings, it says that a partnership is to be formed between the Federal, State, and local governments, and focus the final decisionmaking authority in a single arbiter. Is this the way a democracy works? We do not believe this is what was intended by the Founding Fathers of this great Nation. We believe that reasonable men can disagree and still reach a decision within the laws that govern this country.

A recent history of this issue demonstrates this belief. The Governors of the two States most affected by this legislation have been concerned about the same issues raised in it. I am sure they have disagreed at times, and may still disagree as concerns are more distinctly defined. Yet they have demonstrated their willingness to work at resolving the conflicts at the local level, have not thrown in the towel and said we need big brother to solve these problems. They've asked for his counsel, but they have not asked for his authority.

This distinction is important. The legislation before us gives the ultimate authority to the Secretary of Agriculture. The Governors' plan leaves it to the management commission representing the various jurisdictions in the gorge.

We believe the concept of management presented by the Governors is a starting point for a true partnership. It is not necessarily the all-conclusive answer to the complex issues before us. We do, however, ask that this concept be fully explored prior to any further action on S. 627.

Thank you.

Senator HATFIELD. Thank you, very much. Excellent timing.

Mr. Brink.

STATEMENT OF RUSSELL C. BRINK, MANAGER, PORT OF CASCADE LOCKS

Mr. BRINK. Thank you, Senator. I'm Russ Brink and I'm port manager at the Port of Cascade Locks. On behalf of the port commission, I'd like to sincerely thank you for the opportunity to speak today.

Senator Packwood held a hearing some time ago, ostensibly about tourism and economic development. Unfortuantely, we were left off that list. We'd like to think of ourselves as one of the leading authorities on tourism and economic development in the gorge.

The Port of Cascade Locks Commission has been opposed to the "national scenic area" designation since it was first proposed. They continue to feel that it is unneeded, it is a duplication of existing quality planning efforts, and potentially very expensive.

The manner in which this legislation has been proposed, ramrodded by a well-financed environmental campaign from outside of the gorge, has been offensive. The premise upon which Federal control is rationalized is that local elected officials cannot be trusted to protect the gorge.

The fact that local governments and citizens of the gorge have been good stewards is ignored.

This piece of legislation is not good for the residents of the gorge, yet we are told that our home's national significance overrides both our excellent past records and our ability to govern ourselves.

Cascade Locks is a small town, but the community has accomplished some noteworthy projects. It has been a fight, all the way, as you well know. It has appeared to long-time local residents that the U.S. Forest Service has been boxing in our community. This is apparent if you look at a map. Our ability to grow may be limited to our existing growth boundary, and further, the very agency which has been boxing us will now be in complete control. We cannot help but feel that this will have some very negative impacts on the community.

Today the community is tourist-oriented, although not as much as it may be in the future. But, tourism is not a cure-all for our economic problems. True economic health will depend on the resurgence of homebuilding for our mills, stabel electric rates, and aggressive marketing for new businesses. Any new job is probably a good job, but an overabundance of tourist jobs is not the type of new employment that insures long-term economic stability. In short, don't believe those who say "national scenic area" designation means good economic times through tourism.

Our written submission documents the port's long-standing interest in protecting the scenic quality of the gorge. Our comprehensive land-use plan was jointly funded by the city and the port before the State mandated such action. We have cooperated with the Columbia River Gorge Commission in letting them know of our development plans, even to the extent of occasionally losing an employer.

Mr. Cannard posed the question in reverse of the one I want to pose. Instead of "where were the local folks when 'national scenic area' designation was being developed," I wanted to ask "where were the Friends of the Gorge when the local folks were developing local land-use plans."

Few, if any, of Mr. Williams long list of developments have occurred. They have been stopped by coalitions of local residents, or they have been rethought by local governments. Instead of the infamous 50 agencies being a problem, an astute political observer would probably call them a de facto system of checks and balances which have evolved over a long history.

Let me leave you with one final comment. You've been a leader for a long time in the effort to develop the Columbia-Snake system as a transportation corridor. You recognize the importance of the system to national commerce and defense. All the ports on the system are asking you to weigh the possible negative impacts on the system with the possible good impacts on the scenic quality that this legislation may contain.

The Port of Cascade Locks Commission supports the Governors' principles for a bistate compact. It is a reasonable alternative to national scenic area designation. Quite to the contrary of what has been said earlier, the Federal Government role is appropriately limited. The local and State representatives should have a majority voice.

We can work together, we have worked together, and the existing condition of the gorge testifies to that cooperation.

Thank you, very much.

Senator HATFIELD. Thank you.

[The prepared statement of Mr. Brink follows:]

March 24, 1983

port of cascade lock

[illegible]

Senator Mark Hatfield
473 Russell Building
Washington, D.C. 20510

Re: Senate Bill 627 "Columbia River Gorge Act of 1983"

Dear Senator Hatfield:

Thank you for the opportunity to speak with you today. The Port of Cascade Locks Commission has been opposed to National Scenic Area Designation since it was first proposed. They continue to feel that it is unneeded, it is a duplication of existing quality planning efforts and potentially very expensive. The manner in which the legislation has been proposed, ramrodded by a well financed environmental campaign from outside of the Gorge has been offensive. The premise upon which federal control is rationalized is that local elected officials cannot be trusted to protect the Gorge. The fact that local governments and citizens of the Gorge have been good stewards is ignored. This piece of legislation is not good for the residents of the Gorge, yet we are told that our home's "National Significance" overrides both our excellent past records and our ability to govern ourselves.

Cascade Locks is a small town but the community has accomplished some noteworthy projects. It has been a fight all the way, as you know. It has appeared to longtime local residents that the U. S. Forest Service has been "boxing in" the community. This is apparent if you look at a map. Our ability to grow may be limited to our existing growth boundary and further the very agency which has been "boxing" us will now be complete control. We cannot help but feel that this will have very negative impacts on the community.

Today, the community is tourist oriented, although not as much as it will be in the future. Tourism is not a cure all for our economic problems however. Ture economic health will depend on the resurgence of home building for our mills, stable electric rates and aggressive marketing for new business. Any new job is a good job but an overabundance of tourist jobs is not the type of new employment that insures long term economic stability. In short, don't believe those that say "NSA designation means good economic times through tourism".

Our written submission documents the Port's longstanding interest in protecting the scenic quality of the Gorge. A comprehensive land use plan was jointly funded by the City and Port before the State mandated such action. We have cooperated with the Gorge Commission in letting them know of our development plans even to the extent of losing employment. Where were the "Friends of the Gorge" in the 60's and 70's when local land use plans were being developed? And why do they want to dominate the 80's and generations beyond? Do they know something we don't?

Let me leave you with one final comment. You have long been a leader in the effort to develop the Columbia/Snake system as a transportation corridor. You recognize the importance of the system to national commerce and defense. All the ports on the system are asking you to weigh the possible negative impacts on the transportation system with the good impacts on scenic quality this legislation may contain.

Again thank you for your time and I will leave your staff my written testimony.

Sincerely,

Russell C. Brink, Manager

RCB/rr

DETAILED STAFF COMMENTS ON SENATE BILL 627

PREAMBLE

The bill's intent is clearly to preserve "scenic, natural and cultural" values. Economic viability or development is not addressed in the preamble and is slighted by the entire legislation.

FINDINGS AND PURPOSE

Section 2 (a) (6) "human impact on the landscape...is intense, but, historically much of the diverse scenic quality of the gorge has been preserved."

Depending on a rather subjective definition of "intense", one would expect that human impact on the Gorge would be at least evident, about 50,000 people live there. However, the point is that the Gorge is still beautiful because of the efforts of the people not in spite of them.

Section 2 (a) (8) "existing qualities...threatened...by rapid population growth..uncontrolled development...and by the existence of more than 50...jurisdictions and agencies."

These three points are the cornerstone of the findings of fact that justify the need for the area. These assertions are not, and never have been, based in fact however. The word "threatened" is biased, emotional and not an accurate phrase to portray the situation. "Uncontrolled development" conotes an area of rampant building, void of any land use law. This is entirely inaccurate. The 50 agencies and jurisdictions are local governments with elected officials, state, federal and local agencies with specific interests in the Gorge (forestry, power, fishery) land use. The existence of these agencies does not promote uncoordinated planning, if anything they act as a de facto system of checks and balances. They certainly will retain some of the their authority under the legislation so if they were the problem they are perceived to be, the legislation itself would not solve the problems.

Section 2 (a) (9) "Existing...authorities lack sufficient resources to provide for growth management, develop recreational facilities...or protect the unique scenic resources..."

This statement ignores the substantial city, county and state budgets for land use planning and the many fine federal, state and local parks and recreation areas that exist. However, there is a definite potential for further federal assistance in planning and recreational development. Whether a national designation is required for this assistance to be forthcoming is another issue.

(2)

PURPOSE

Section 2 (b) (4) "To protect and perpetuate the existing economy including agriculture, fishing and timber utilization..."

We have often felt that the Friends have ignored the serious economic problems in the Gorge because preserving scenic beauty was their overriding concern. This is again evident in the characterization of the economy to be preserved and perpetuated. A certain degree of economic diversification must occur, we feel, to solve our unemployment problems. In Cascade Locks alone, 200 lumber jobs have been lost, there is no agriculture (most agricultural employment is migrants anyway) and fishing is recreational or done by Indians. Preserving and perpetuating these sectors of the economy, if it means stopping or ignoring economic diversification could be extremely detrimental to the area.

Section 1 (b) (7) "...promoting economic development within the Gorge which is consistent with the existing scenic and natural character..."

Later in this subsection is reference to the single management plan acting as a supplement to state and local plans. It is hard to believe that the management plan will not supercede local plans. Most critical, however, is the application of the terminology about "consistent" development. It is not fully clear whether this is in reference to development on lands outside the excluded communities or if the plan and the commission will have jurisdiction to determine if development within the communities is also "consistent."

ADMINISTRATION

Section 4 (2) (d) "Three members who have a demonstrated interest in the values to be protected..."

We are concerned about the vagueness of this section. How are these people to be nominated to the secretary? What constitutes a "demonstrated interest"? We have always maintained that there are more interests to be protected than just scenic beauty, will those values be considered also? If these three people vote in a bloc consistently they could severely impact the outcome of many major decisions.

MANAGEMENT PLAN

Section 5 (b) (2) "Protect, maintain, and enhance the scenic, natural and cultural values of the area..."

While section (b) (1) contains provisions for a comprehensive inventory of resources, including social and economic, this section provides for protection of only scenic, natural and cultural values.

(3) .

Section 4 (b) (3) "Designate appropriate uses of all lands within the Area in order to achieve the purpose of this Act.

This seems to be a tremendously complex task, yet it merits only one sentence. How are appropriate uses to be designated, by whom and using what criteria? Another example of vague and simplistic thinking in the bill.

Section 5 (11) (c) "The Secretary may utilize personnel from state and local governments with expertise in planning in preparing the Management Plan."...

In our opinion the word "may" should be changed to "shall." Local planners have the most knowledge of Gorge land use and politics. A plan written by local planners would be accepted by local citizens better than a plan written by federal planners.

Section 5 (e) (5) "If the Regional Commission does not approve all or any part of the Management Plan within ninety days---the Secretary may...adopt the Management Plan as resubmitted.

Politically this appears to be a poor concept. The most important reason could be a major difference of opinion between the planners and the Commission. If the Secretary would then adopt the Plan without resolving the problem, there would be dissension within the area at the outset.

INTERIM MANAGEMENT

Section 6 (a) 1-4) Who will untimately define whether these actions are harmful, the Secretary of Agriculture? If so, will the Secretary have the power to override the recommendation of the Regional Commission?

Section 6 (b) "...the Secretary shall identify those lands within the Area which, until the Management Plan is adopted, he determines to be critical...?

Will the Secretary be allowed to use the Acquisition Fund, if it is established, to acquire these interim critical lands before a final determination of their criticalness is made?

ENFORCEMENT

Section 6 (a) "Prior to the adoption of the Management Plan, the Secretary shall monitor all land use activities within the Area to ensure that said activities do not violate the interim standards"

The draft alludes to "the Secretary" a number of times.. Realistically the Secretary of Agriculture will have little or nothing to do with the administration of the Area. One or more undersecretaries, and/or assorted staff would do the actual administration. Given the various duties assigned to "the Secretary" in the draft, which will be carried out by Staff, one can understand the local's fear of planning done by bureaucrats.

(4)

Section 9 (b) Discussion of local land use plans.

These plans already exist although the bill would lead one to believe that they do not.

Section 9 (c) The Secretary (and his staff) holds a tremendous amount of power due to this one small paragraph. It appears to the reader that, ultimately, the Secretary alone can decide the adequacy of a locally developed planning program and, if found inadequate, can usurp all local control over planning in a Gorge jurisdiction.

ACQUISITION

We have stated earlier that we are opposed to all federal acquisition as it is outlined in this draft. Only under true willing seller basis should land be acquired in fee title. By "true" willing seller we mean a sale or donation based solely on the property owner's desires without any threat of condemnation. We seriously question enacting this Legislation withou definition of what constitutes "substantial change" in single family dwellings. Subsection (d) requires state land to be donated or exchanged. We would suggest making this stipulation applicable to all lands within the Area.

Mr. Irwin Rieger, Managing Editor
The Vancouver Columbian
Vancouver, Washington 98663

re: Talapus Trail and
Columbia River Gorge Editorials

Dear Mr. Rieger:

I have read with a great deal of interest your latest editorial comments with respects to the Columbia River Gorge. I am enclosing a series of letters to and from the Forest Service with respects to new trail development. Even though the trails the Port refers to are not included in the Talapus Trail it is an indication of methods that could be used to develop new trails in The Gorge. That method is to simply merge interested individuals, clubs, local public agencies, and the various federal agencies including the Forest Service and Bureau of Land Management into a team to develop new trails and maintain old ones for the benefit Of all.

I am also enclosing a copy of the recently completed long-range plan for the Cascade Locks area. We sincerely believe that Cascade Locks is doing more to protect and compliment the magnificence of The Gorge than any other geographic area or public entity. The statements made in the comprehensive plan with respects to preserving the character and quality of the Gorge are not mere words to make a bound report appear impressive but are the declared policies of the local people and local agencies.

Please accept our compliments for an excellent series of articles and your continued interest in The Gorge.

Sincerely,

R. L Rombalski
City/Port Manager
RLR/e
encl.

March 30, 1971

William Galbraith, Area Mgr.
Bonneville Power Administration
Box 3621
Portland, Oregon 97208

Environmental Statement Comment

Dear Bill:

I am writing this letter as a citizen of Cascade Locks and as an individual who is deeply concerned with the future of the Columbia River Gorge. I feel that in general the Bonneville Power Administration has displayed more environmental concern than the majority of other Federal Agencies, however I note in the last 6 months a continuing occurance of a visual impact that is totally degrading to the Gorge and is in fact created by BPA. In reviewing the Dept. of Interior--Environmental Report--Volume No. 7, pages 66 and 67 I note that the environmental concern and actions taken by BPA to preserve the environment are liberally documented. The following quotes are reproduced directly from these two pages and documents BPA's enviromental concern and specific concern with the Columbia River Gorge:

> "In operating the transmission grid, BPA tries to avoid pollution of air, water, and space. Control of construction and maintenance operations, and proper waste disposal practices at BPA installations help preserve natural beauty, as does careful design of powerlines and substations to lessen their effect on scenery."
>
> "Design criteria have been developed by BPA which will make transmission lines and substations less obtrusive. Lines are to be kept below the horizon wherever possible in hilly ground. Highway crossings are to be screened by preserving trees and using long span towers, and long straight stretches of line will be avoided by occasionally deflecting the right-of-way."
>
> "Since 1939, a provision has been included in all BPA industrial sales contracts giving the Administration the right to stop delivery of power whenever a customer's activity polutes a Pacific Northwest River or detracts from the scenic beauty of the Columbia River Gorge."

"The environmental integrity of one of North America's most scenic areas, the Columbia Gorge, for example, has been preserved by building transmission lines which are out of sight of travelers in the Gorge."

My concern and the purpose of this letter is to point out to BPA the visual nightmare created by BPA in the Columbia River Gorge--that of the overpowering visual blight created by the series of new transmission towers which dot the landscape and radiate out from Bonneville Dam. The towers are overpowering in terms of size but of major concern is the standard silver color which attracts the eye. No one can dispute the fact that the grid system is necessary and in fact BPA must be credited with the utilization of existing right-of-way and the reduction in the number of towers due to the use of larger towers and conductor--but at the same time why use the typical silver color on transmission towers through the Gorge and for that matter in any other scenic area? It seems to me that without question BPA has violated the very regulations and guide lines established by BPA to protect, in this case, the Gorge.

The solution is simple but does require dollars--paint all the transmission towers that create a visual blight in the Gorge. I would feel that since the Gorge has a very high priority with BPA that steps must be taken immediately to paint the new towers, erected in the last 6 months an earthy color that will blend the towers into the scenery of the Gorge to the extent that they will be nearly invisible. Further, that the remaining towers be painted on a scheduled basis over the next few years.

It would also seem that the environmental protection philosophy has not reached all of the BPA staff and that BPA should conduct employee training seminars on all levels to arouse employee environmental awareness.

This letter is written in response to the BPA request for comments on the Draft Environmental Statement and I would request that this letter be made a part of the record, however I would also request a reply with respects to the suggested painting approach to obscuring the towers in the Gorge.

Sincerely,

Ronald L. Rombalski

November 21, 1972

United States Department of the Interior

BONNEVILLE POWER ADMINISTRATION
PORTLAND AREA OFFICE
P. O. Box 3621
Portland, Oregon 97208

IN REPLY REFER TO:
OP

November 30, 1972

Mr. Ronald L. Rombalski
Administrator & Port District Manager
Cascade Locks City Light
PO Box 308
Cascade Locks, Oregon 97014

Dear Ron:

Thank you for your comments on the Bonneville Power Administration's Draft Environmental Statment on our FY 1974 program. In my opinion, your statements are constructive and must receive our thoughtful consideration.

Copies of your letter have been distributed to the proper people in our organization. You will receive an official reply to your letter after careful consideration has been made of your recommendations.

Sincerely,

W. A. Galbraith
Portland Area Manager

port of cascade locks
post office box 307 cascade locks, oregon [illegible]
telephone 503/374 [illegible]

December 14, 1982

Carol Kirchner, Executive Director
Friends of the Columbia Gorge
519 SW Third Ave. - Suite 305
Portland, Oregon 97204

Dear Carol:

Thank you for sending me a copy of Elisabeth Lyon's working paper on tourism in the Columbia Gorge. Although the Friends and the Port of Cascade Locks have opposing views about NSA designation, we do share an enthusiasm for tourism promotion and an understanding of its potential in the Gorge. We look forward to working with the Friends in achieving a fully developed tourism industry.

A few unsolicited comments on Ms. Lyon's paper:

1.) Admittedly prejudiced, I believe the working paper does not fully recognize the impact that our Sternwheeler (which has been named "Columbia Gorge") will have on tourism. The Archi-system's study, which remains the definitive document on tourism in the Gorge, is very clear on this point. Quoting the authors "the role of the Sternwheeler in overall Columbia Gorge tourist attraction development is critical, especially as a method of advertising the Gorge area to the visitor market and linking the physically diffuse attractions of the Gorge".

2.) I agree that National Scenic Area designation may result in greater name recognition and perhaps increased tourist visitation. However, I believe that such designation is not a prerequisite to a healthier tourism industry. Both Oregon and Washington have beefed up their state tourism promotion efforts featuring the Columbia River Gorge and Mid-Columbia Marketing has produced a full-color brochure devoted entirely to tourist attractions of the Gorge. So local effort does exist in promoting the area. Most importantly, increased day visitation does not automatically mean more jobs and increased economic benefit. The Gorge is tremendously underdeveloped in tourist accomodations and visitor related retail properties. If that crucial aspect of the industry is downplayed or potentially hampered by the very designation, then the economic benefits of more visitation will be unrealized. People will simply continue to drive through the Gorge because there is no place for them to stop.

3.) Tourism is not an economic panacea. I cannot totally concur with the first sentence of the report that "Tourism is a long standing element of the economy in the Columbia River Gorge..." Day visits and passing through on the freeway have constituted the majority of people traveling in the Gorge. Tourism as an element of the economy, in terms of spending and jobs, is still a relatively small part of the overall picture. We all hope it will grow into a more significant economic activity, however, those receiving most of the benefits will be business owners and lower wage scale employees. This is not to say that new jobs in tourism are not good, just that they are not typically "head of household" income producing. A truly diverse, vital regional economy cannot be dependent upon tourism, just as it cannot be dependent on the lumber industry.

4.) Finally I must comment on a topic which took up a considerable amount of my discussion with Ms. Lyon but which was not mentioned in the paper. I made the statement that it could be possible that significant environmental damage could be done to the Gorge because of the NSA designation and the attendent rush of tourists. I gave as extreme examples areas of the Yellowstone and Rocky Mountain National Parks. In these areas tourist's lack of concern (litter, unauthorized trespass, etc.) and "ticky-tacky" developments have detracted from scenic quality. Although the Port of Cascade Locks stands to gain from a tremendous influx of tourists, all of us hope this can occur without environmental damage.

I hope I have not been too critical, but I feel strongly about these four points. Overall Ms. Lyon has done a good job detailing the existing situation, identifying needs and recognizing the frustrating dichotomy of having so much to offer to so many people yet still being in the infancy of tourism development.

My biggest concern, and it is a concern with the Friends position in general, is that a broad brush approach of NSA designation neither recognizes existing local efforts nor addresses the specific needs of the region.

The Mid-Columbia Marketing brochure is at the printers, since it has many photos taken by the Friends I'm sure you will be interested in it so I will send one along. If you have any comments on my comments please give me a call.

Sincerely,

Russ Brink, Manager

RB/rr

AL ULLMAN
[illegible]

CHAIRMAN, COMMITTEE ON
WAYS AND MEANS
JOINT COMMITTEE ON TAXATION

Congreſs of the United States
House of Representatives
Washington, D.C. 20515

October 31, 1979

Honorable Bob Bergland
Secretary
U. S. Department of Agriculture
Washington, D. C. 20250

Dear Bob:

Our purpose in writing is to inquire about U. S. Forest Service and Mt. Hood National Forest plans for the Oregon side of the Columbia Gorge. Specifically, we are interested in learning about the Forest Service's Urban Outreach Study for the Gorge, the agency's general planning for that area, and whether the agency is considering development of any facilities in the Wyeth area of the Gorge.

As you may know, the citizens of Cascade Locks have a long-standing interest in development of recreational facilities on land that is either owned or sought by the Forest Service. In the past, the agency has promised development of campground facilities in the Wyeth area, along with trail head improvements near the Bridge of the Gods (where the Pacific Crest Trail crosses the Columbia River) on land the Forest Service plans to lease from the Port of Cascade Locks. To date, however, nothing has been built.

People in Cascade Locks are particularly interested in development of a visitors' center in the Wyeth area. The area is particularly suited to such development because of its central location, freeway access and the availability of land with a 180 degree view of the Columbia River and shorelines on both the Oregon and Washington sides.

The Wyeth interchange area also is especially well-suited to campground development. A major trail system to the high country starts in the area, and camping facilities along with an interpretive center would be excellent compliments. In addition, the land itself lends itself to this type of development.

It should be re-emphasized that the Forest Service has long indicated to the Cascade Locks community that it intends to establish such facilities in the Wyeth area. But apparent progress toward fulfilling this commitment has been slight.

We would appreciate any information you can share with us on these proposals. Estimated costs for site acquisition, planning and development of a visitors' center and campground would be most helpful, as would a timetable for this work.

Thank you for your attention to this matter Bob.

Sincerely,

Al Ullman

Mark Hatfield, U.S.S. Robert Duncan, M.C. Al Ullman, M. C.

port of cascade lock
[illegible]

April 30, 1979

Commissioners
Hood River County
Hood River, Oregon 97031

Commission Members:

The Port of Cascade Locks has been concerned for many years with the continual acquisition of private lands throughout the Columbia River Gorge by federal and state agencies. In fact on July 19, 1969 the Port acquired 382 acres of private land in the Wyeth area which the Forest Service was then attempting to acquire. The property was sold on November 9, 1970 and as a condition of the sale the following wording was used in the contract of sale and deed, "Said property shall be developed in conformance with an overall development plan which emphasizes recreational and permanent home development with a minimum of 5 acres per single family dwelling as the primary land use." This 382 acre parcel is one of those that the Forest Service is currently attempting to acquire.

The U. S. Forest Service is now proposing to acquire all the private land between Government Cove and Wyeth, Oregon. The Port of Cascade Locks has discussed this proposal in several public meetings with the Forest Service and in November 1978 formally voted to oppose the Forest Service plan for these acquisitions. The Commission feels that the private land that lies on the bench above the river and at the base of the rock bluffs should remain in private ownership and be continued in a zone allowing one single family dwelling on a minimum of 5 acres. I would also advise the County Commission that during the advisory vote on the Mt. Hood Planning Unit the Cascade Locks area voted by a 3 to 1 majority for the planned Unit Development concept and one dwelling per 5 acres.

In the Comprehensive planning process recently completed in Cascade Locks the Community indicated near unanimous support for additional community services such as a bank, expanded hardware and building supply business and professional offices.

Commissioners
Hood River County
Hood River, Oregon 97031
Page 2
April 30, 1979

In order to reach such a service goal it is necessary that additional citizens reside in the trade area. The Port Commission respectfully feels that from 25 to 75 potential residents in the Wyeth area will aid the Community in reaching its goals while at the same time have minimal impact on the scenic values of the Gorge.

Thank you for your consideration of these remarks.

Sincerely,

Glen Latimer

Glen Latimer
President

Gl/rr

January 9, 1975

Governor Robert Straub
State Capitol Building
Salem, Oregon 97310

State of Oregon Request for Rock Quarry
Crusher and Asphalt Batch Plant -
Columbia River Gorge

Dear Governor Straub:

Enclosed please find a copy of the statement by the Port of Cascade Locks to Multnomah County in regards to the request by the State of Oregon Highway Department for a Conditional Use Permit to allow a rock quarry operation in the center of the Columbia River Gorge.

The Port's general attitude is that a rock quarry and asphalt batch plant is an incompatable land use in the Columbia River Gorge and must not be allowed.

In addition, at your convenience, representatives from the Port of Cascade Locks would like to meet with you to discuss Port projects such as the Aerial Tramway and Sternwheeler. I am enclosing two current reports dealing with the project which you will find interesting. I look forward to hearing from you.

Thank you for your review of this information and for your review of the State Highway Department application.

Sincerely,

Harry Cramblett,
President

HC/bi
Enc.

COLUMBIA RIVER
GORGE COMMISSION

920 N.E. 7TH AVENUE • • • • • PORTLAND, OREGON 97232

TOM McCALL
GOVERNOR

COMMISSIONERS

MRS. ROBERT WARREN, Chairman
2366 S.W. Madison
Portland, Oregon 97205

GARY E. LOCKWOOD, Member
1811 W. Prospect
Hood River, Oregon 97031

LLOYD E. OLSON, Member
17664 South Harding Road
Oregon City, Oregon 97045

THOMAS H. BURGESS, Secretary
2406 N.E. Skidmore St.
Portland, Oregon 97211

July 10, 1973

Mr. Harry Cramblett
President of The Port of Cascade Locks
Cascade Locks, Oregon 97014

Dear Harry:

Mrs. Warren asked me to answer your letter of July 5th relative to the potential gravel pit, near Dotson, that the State Highway Department is proposing to develop.

The Columbia River Gorge Commission was aware of this and visited the site with members of the Multnomah Planning Commission on December 20th. This was at the request of Mr. Rulien, Regional Engineer of the Oregon State Highway Division. Members of his staff were also present.

We went over the ground rather carefully to assure ourselves that development of a quarry would not be visible from the Oregon side, the River or the Washington side. We pointed out our policy that in the gorge area proper screening of the quarry sites is essential. Mr. Rulien and his staff agreed.

We understand that detailed plans for development of the area are being prepared - and no development except exploratory work would be done until the plans were discussed with us, the Multnomah Planning Commission, and the Forest Service. We will suggest the Port be included in the discussion of the plans.

We appreciate very much your interest and concern and will keep you posted as we learn of developments.

Sincerely,

Bud

Thomas H. Burgess
Secretary

Senator HATFIELD. A representative of the Port of Skamania.

STATEMENT OF ELDON SAMS, PRESIDENT, BOARD OF COMMISSIONERS, PORT OF SKAMANIA COUNTY, WASH.

Mr. SAMS. Thank you, Senator, for the opportunity to appear here. My name is Eldon Sams, and I'm president of the Board of Commissioners of the Port of Skamania County. The Port of Skamania County represents the population areas of Stevenson, North Bonneville, Carson, Home Valley, and Skamania. I'm convinced that well over 90 percent of the residents of these areas and, in fact, over 90 percent of the 41,000 people who live in the gorge are opposed to Federal intervention in land-use regulations for the gorge.

I draw this conclusion from the numerous polls and votes that have been held in the gorge. I also believe that the majority of the residents of the Pacific Northwest, when told the whole story about Federal intervention in the gorge, would be opposed to this proposed legislation.

The Friends of the Gorge do not tell the whole story. Many times they have been quoted as saying that the Port of Skamania County has developed lands in the gorge that degrade the visual quality of the gorge. In the next breath, they state that all activities that take place within the incorporated city limits of the existing cities are acceptable activities.

The simple truth is, Senator, that all developable property owned by the Port of Skamania County which is located in the scenic area of the gorge is within the incorporated limits of Stevenson and North Bonneville.

Economic development is a vital concern to the port, and this concern involves both industrial-commercial development and tourism. I am sure that you are aware that we operate within the guidelines of the Skamania County comprehensive plan, the Washington State Shorelines Management Act, the State Environmental Protection Act, as well as our own comprehensive scheme of development and land standards.

These restraints insure that any type of development within our district will be conducted with a maximum enhancement of the livability of the gorge uppermost in our plans. It is also imperative for you to realize that even if these guidelines were not already available to us, the individual members of the port district, as well as the staff, have always held the extreme beauty and uniqueness of the gorge as a sacred trust which shall not be violated.

Tourism became a familiar partner in our development plans when the Beacon Rock golf course was constructed by an interested group of volunteers on port property at North Bonneville in 1970. The coownership of the *Columbia Sightseer* tourboat with the Port of Cascade Locks, Oreg., in 1976, and the sternwheeler which is currently under construction, insure that the district will take an active part in tourism development in the county.

However, Senator Hatfield, because of the severity of weather within the gorge, tourism is, at best, a 5- to 6-month industry for our county. Our current unemployment rate is 33 percent, and that makes it imperative that we do all we can to broaden our industrial base.

We feel that the creation of the national scenic area for the Columbia River Gorge will severely limit our ability for creative efforts to secure compatible industries for our district. The rules and regulations already in place have served in the past to insure maximum esthetic results from our industrial parks at Stevenson and North Bonneville.

The recently announced agreement between the Governors of Washington and Oregon is, at first glance, a workable agreement. I believe that with further study and refinement a workable plan for development and protection of the gorge will come out of this group.

The recent one-sided hearing conducted by Senator Packwood in Hood River was supposed to address the economic impact of Federal intervention in the gorge. Instead, it was a soundingboard for the Friends of the Gorge. If the bill sponsored by Senator Packwood would become law and was implemented, it would mean an economic catastrophe in the gorge. Is the Federal Government ready and able to subsidize the economic well-being of 41,000 people? I think not.

I encourage you, as I am encouraging the other members of the Pacific Northwest congressional delegation, to do everything in your power to stop Federal legislation for the gorge and support the goals introduced by the Governors of Washington and Oregon.

I'd like to add just a comment. My family moved into the gorge in 1889, homesteaded there, and we have lived there ever since. I was away for a few years in 1930 and 1940, but I moved back. I grew up as a boy there, and I can testify to the fact that the gorge today is a much more beautiful place than it was then.

The concept is that the gorge is a very fragile place. That is entirely wrong. The gorge is a very tough lady, and the gorge takes care of itself—naturally.

It attests to the fact that people living in the gorge have done the job because there is something there now that other people want to protect.

Thank you, very much.

Senator HATFIELD. Thank you, very much.

Thank you, all, gentlemen.

Now, I'd like to invite Mr. Luce, Dr. Chuinard, Mr. Dent, Mr. Tess, and Ms. Bishop.

I'd like to welcome you back, Mr. Luce, to your old stomping grounds, where you used to administer the affairs of the Bonneville Power Administration.

STATEMENT OF CHARLES LUCE

Mr. LUCE. Thank you, Senator Hatfield. I feel right at home in this auditorium, since I've conducted many meetings here as Bonneville administrator 20 some years ago.

I appear today as one of the members of the board of directors of the Friends of the Columbia Gorge, and thought that I would direct my remarks principally to a comparison between the Governors' agreement for legislation to improve the management of the gorge properties with S. 627.

Actually, the Governors' memorandum of understanding, their key principles, are very close, it seems to me, to S. 627. First of all, they agree there should be a unified management plan for public and private lands in Washington and Oregon in the Columbia Gorge. That's basic.

Second, they agree that there should be a Columbia Gorge Commission, and that it ought to be a partnership of local, State, and Federal governments.

Third, they agree that this should be accomplished through Federal legislation, enacted by Congress; and, they agree that the principal funding should come from the Federal Government.

Fourth, they agree that this commission established by Congress should have the authority, under limited and special circumstances, to acquire interests in land—scenic easements or even fee title, where necessary to preserve the gorge.

However, there are major differences between the Governors' plan and S. 627. In their plan, the Governors' roles are much more prominent. They would appoint all the members of the Columbia Gorge Commission, not just two each as in S. 627.

Second, their commission would be larger—23 individuals, compared to 14 in S. 627.

Their commission, thirdly, apparently, would not be a Federal agency, although it would be established by Congress. It would be a rather unique legal animal, I would think possibly of questionable constitutionality. That problem was addressed in the Regional Power Council, as Senator Hatfield knows, and it is a very complicated question.

The commission would vote by State. That is, while the principles say it will have a unified plan, the voting on the plan actually would be by State. Five members from either Washington or Oregon on the Governor-appointed commission could block, and actually deadlock, planning.

I think that S. 627 is a preferable approach. As I say, I think the two are pretty close together—the Governors' plans and S. 627. In S. 627, the commission votes as a body; they don't divide up and vote State-by-State. There's Federal representation on the council in S. 627. In the Governors' plan there isn't, really. There are three Federal officers, but they don't get to vote on the planning—which planning is going to affect Federal properties, of course, the national forests principally.

S. 627 likewise does not create a new Government agency. The Governors' would create a new Government agency—as I say, of a peculiar, legal nature; but, it would be a separate, new agency.

Finally, as a reason for preferring S. 627, I think it would have a far better chance of attracting Federal financial support, which is going to be essential over the years in the gorge. The council set up by the Governors' plans really would be an orphan as far as the Federal budget process is concerned. There wouldn't be any Federal agency such as the Department of Agriculture or U.S. Forest Service in there as an advocate for funds before the OMB, to see that it got enough to carry out its purposes.

Furthermore, S. 627's commission, being under the general aegis of the Forest Service, would be in a much better position to make the kinds of trades that may be necessary of lands within the gorge for lands outside the gorge as described by the head of Crown Zellerbach local operations, and several other witnesses.

Thank you.

Senator **Hatfield**. Thank you very much, Mr. Luce.

Dr. Chuinard.

STATEMENT OF DR. E. G. CHUINARD, M.D., CHAIRMAN, OREGON LEWIS AND CLARK TRAIL COMMITTEE

Dr. **Chuinard**. Thank you, Senator Hatfield. I am Dr. E. G. Chuinard, chairman of the Oregan Lewis and Clark Trail Committee. I also serve as Governor Atiyeh's nominee to the advisory councils of both the Lewis and Clark National Historical Trail and the Oregon National Historic Trail.

The State of Washington also has a Lewis and Clark Trail Committee, and for many years our committees have worked together harmoniously and effectively to fulfill our Governors' directive to identify, develop, and interpret our mutual Lewis and Clark historical sites.

Our committees have resolved to continue this friendly and effective relationship with whatever administrative jurisdiction may be established to manage the gorge.

From one who looks through the binoculars of history, I wish to make the observation that most of the emphasis on the values of the gorge that have been presented are on the scenic and recreational values. Tourism, Oregon's second-to-third largest industry, must include the recognition of the interest in history. It is one of Oregon's natural resources.

During the gasoline shortage, when tourism was down 20 to 40 percent along our very scenic coast, visitation at the Fort Clatsop National Memorial increased each year. This interest in history is a national thing. In recognition of this, the Congress passed Public Law 95–625 in 1978 which created the category of "National Historic Trails" to add to the scenic and recreation categories already in our national trails system. Public Law 95–625 named some 15-plus trails to the west and provided that three of those trails should have their management plans completed by 1982.

Two of those three trails—the Lewis and Clark National Historic Trail and the Oregon National Historic Trail—come through the Columbia Gorge. Public Law 95–625 also provides that the management of these trails will be under the National Park Service.

I would recommend that whatever management structure is developed, for the gorge, that it be known by a name more encompassing of its many values than just "scenic."

I would like to quote from a letter I addressed to Governor Atiyeh in reference to the principles for legislation on the management of the Columbia River Gorge which he presented this morning.

> In addition to the National Park Service, already being a management agency in the gorge, it is important to note that the National Park Service has been the leader of all Federal agencies in developing and providing interpretive services, which is a most vital essence of any historic trail. The development of an historic trail involves much more than construction of trails to scenic areas, and for recreation: there must also be instructive logos and legends, and historical and interpretive programs. We cannot just have a sign, "Lewis and Clark State Park." We must also tell the story of Lewis and Clark.

Therefore, in addition ot the inclusion of the three Federal agencies of the U.S. Forest Service, the Bonneville Power Administration, and the U.S. Army Corps of Engineers, there should be added the National Park Service, thus to be on a vis-a-vis relationship with these other Government entities.

Senator HATFIELD. Thank you, very much.

Mr. Dent.

STATEMENT OF DOUG DENT

Mr. DENT. Senator Hatfield, thank you.

The subject at hand is one of special interest, not only to those——

Senator HATFIELD. Will you pull the microphone just a little closer, please?

Mr. DENT. I'm sorry.

Senator HATFIELD. It's more directional.

Mr. DENT. Thank you. But, to those who will follow us in the generations ahead. Without a doubt, certain areas within the gorge possess unusual and unique presence which all of us with to have set aside for the generations ahead.

I find it difficult, if not impossible, to believe taht anyone would deny the existence of these special areas of uniqueness in the desire to protect and preserve them. Yet a great deal of apprehension is being felt and expressed by a number of individuals in the area.

It is very difficult at best for people who own land in the gorge area to effectively manage their land when their control over its management and use is in question. Such apprehensions lead some to the conclusion that the best solution is to clearcut their lands and get what they can, even if their long-term economic benefit is drastically reduced, rather than risk the possibility that control and, therefore, economic resources will be significantly reduced or completely lost in the future.

In such instances, timber products are sold regardless of the market demand for them and, therefore, money received is significantly reduced.

It's obvious the landowner's potential economic benefit is further reduced by the fact that income which could have been spread out over a number of years to maximize tax liabilities must, instead, be taken in a single year.

These short-term management policies obviously benefit no one. and are certainly not consistent with the historical objectives of private owners that I'm involved with. Yet it is this short-term solution that I'm quite concerned with.

Generally speaking, landowners view their resources as storehouses of constantly growing products. The utility of these products is determined by such end-use products as plywood, dimension lumber, poles, and pilings, with each requiring specific size and quality characteristics.

By virtue of the fact these trees within these stands are growing at different rates and possessing varying salable qualities, the market demand, and therefore value of them, also varies.

Through careful market analysis and effective marketing, only those trees which command a fair market value can and will be harvested at any one time. The remaining trees will be allowed to grow until the market truly reflects their value.

It is these long-term objectives, however, which are obtained—I'm sorry.

These long-term objectives, however, are not without significant and substantial costs at the start. Prudent management requires many additional costs up front, with a return sometime in the future. It is this long-term commitment which dominates the thoughts and actions of prudent land managers.

It is also this concept which instills the belief that lands are truly being managed in the best and wisest use sense. It is also believed that the traditional views are harmonious with the spirit and intent of effect gorge management.

The question is will local or Federal control best reflect these sentiments. I'm of the opinion that Governors Atiyeh and Spellman's outline, although not perfect, does provide an appropriate mechanism from which to start. By so doing, we can get back to the basics and get our timberlands growing effectively, without the possibility of these significant clearcuttings going on.

Thank you.

Senator **Hatfield**. Thank you very much.

Mr. Tess.

STATEMENT OF JOHN M. TESS, COLUMBIA GORGE HOTEL

Mr. **Tess**. Thank you, Senator. My name is John Tess and I'm here today representing the owners of the Columbia Gorge Hotel to testify in support of S. 627 which authorizes the establishment of the Columbia River Gorge as a national scenic area.

The hotel itself is located just outside Hood River. In 1978, after having been operated by the Neighbors of Woodcraft as a retirement home for some 15 years, work began to return the Columbia Gorge Hotel to its grand elegance of earlier years.

The impetus for the owners to invest in such an undertaking was the natural, scenic setting of the Columbia River Gorge, and the historic associations of the hotel—the very thing S. 627 is pursuing to protect and enhance.

The hotel was built by Simon Benson, the first chairman of the Oregon State Highway Commission, who was at that time promoting tourism. In 1979, the hotel was designated a historic landmark, and listed in the National Register of Historic Places.

In order to maintain the special qualities the Columbia River Gorge offers, we feel it is appropriate that a coordinated management plan be implemented. Establishment of the Columbia Gorge as a national scenic area will not only preserve the special qualities of the gorge, but will act as a stimulant to the growing tourist industry in the Pacific Northwest, a vital part of the State of Oregon's economy.

We'd like to commend our two Senators from the State of Oregon who have introduced this legislation, and all those who have worked to bring this legislation to this point.

The owners of the Columbia Gorge Hotel would also like to lend its full support to the creation of the Columbia River Gorge as a national scenic area.

Thank you.

Senator **Hatfield**. Thank you.

[The prepared statement of Mr. Tess follows:]

HERITAGE
INVESTMENT CORPORATION

COLUMBIA GORGE HOTEL TESTIMONY: SENATE BILL 627
MARCH 25, 1983
COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. Chairman and Committee Members, my name is John Tess, President of Heritage Investment Corporation. I am here today representing the owners of the Columbia Gorge Hotel to testify in support of Senate Bill 627 which authorizes the establishment of the Columbia River Gorge as a national scenic area.

For those of you not familiar with the hotel, it is located 60 miles east of Portland just off Interstate 84, and approximately one mile west of downtown Hood River.

In 1978 after having been operated by the Neighbors of Woodcraft as a retirement home for some 15 years, work began to return the Columbia Gorge Hotel to its grand elegance of earlier years. The impetus for the owners to invest in such an undertaking was the natural scenic setting of the Columbia River Gorge and historic associations of the hotel, the very things Senate Bill 627 is pursuing to protect and enhance.

The hotel was built in 1921 by Simon Benson, first Chairman of the Oregon State Highway Commission, who stated:

> We have built good roads, and have invited the world to come and view our beauty spots, but have done nothing toward taking care of them after they have arrived.

In 1979 the Columbia Gorge Hotel was designated a historic landmark and listed in the National Register of Historic Places.

In order to maintain the special qualities the Columbia River Gorge offers, we feel it is appropriate that a coordinated management plan, as recommended by Governor Atiyeh and Governor Spellman and as provided for in Senate Bill 627, be implemented.

Establishment of the Columbia River Gorge as a natural scenic area will not only preserve the special qualities of the Gorge but will act as a stimulant to the growing tourist industry in the Pacific Northwest, a vital part of the State of Oregon's economy.

We commend our two honorable Senators from the State of Oregon who introduced the legislation, the Governors of Oregon and Washington who have taken an active role in preserving the Columbia River Gorge, and all those who have worked to bring this legislation to this point. We at the Columbia Gorge Hotel lend our full support to the bill. Thank you

John M. Tess
President

1303 TERMINAL SALES BUILDING, PORTLAND, OREGON 97205 (503) 228-0272

Senator HATFIELD. Ms. Bishop.

STATEMENT OF BROTT BISHOP, PENDLETON WOOLEN MILLS, AS PRESENTED BY MARY BISHOP

Ms. BISHOP. Thank you, Senator Hatfield. I'm Mary Bishop, and I'm here today to read a letter from my husband, Brott Bishop who, unfortunately, could not be here at this time.

But, I share with him his concern about preserving the gorge, with all its scientific, historical, and scenic importance.

I'd also just like to say that Brott's interest is deep, and that because he isn't here does not show a lack of concern. If I could, I'd like to enter a letter that he, along with six other business people in this community, wrote to try to raise money for the Friends of the Columbia Gorge—which was successful in raising money for the Friends of the Columbia Gorge.

I also would like to read his letter, which is very brief.

> DEAR SENATOR HATFIELD. I plan to attend your hearing on March 25 concerning the Columbia Gorge, but must leave by 9:30 to fulfill a prior obligation.
>
> I was born in Portland 56 years ago, have lived here all my life, and have been actively involved with the operation of the woolen mill in Washougal, Washington, for over 40 years.
>
> I consider the Columbia Gorge the most precious, single asset that we have in the whole Pacific Northwest. To protect this asset, I favor the approach specified in Senate Bill 627 that you have recently introduced and sponsored. Anything less effective is unacceptable.
>
> I'd be glad to present this as testimony at your hearing if time permits.
>
> B. H. BISHOP.

Senator HATFIELD. Thank you, very much. Appreciate the letters. We will receive the letter that you mentioned, the other material. Thank you, very much.

[The letters follows:]

C. M. BISHOP, Founder

Pendleton Woolen Mills

MANUFACTURERS OF
HIGH GRADE VIRGIN WOOLENS
SINCE 1863
SPORTSWEAR FOR MEN, WOMEN AND BOYS
FABRICS, MOTOR ROBES, BLANKETS

MAIN OFFICES
218 S.W. Jefferson Street
Portland, Oregon 97201
Phone: 503-226-4801
Write: P.O. Box 1691
Portland, Oregon 97207

November 30, 1982

Mr. Howard Vollum
Tektronix, Inc.
P. O. Box 500
Beaverton, OR 97077

Dear Howard:

REMEMBER WHEN.... In 1913, members of the Portland business community embarked on an undertaking of great historical importance to future generations living in the Pacific Northwest. Their efforts resulted in the construction of a highway of great beauty into the Columbia Gorge and a string of parks and scenic waysides. These businessmen included Simon Benson, John B. Yeon, Julius L. Meier, C. S. Jackson, Henry L. Pittock, and John C. Ainsworth. In the beginning, the parks that their names adorn were Portland city parks -- parks over thirty miles from the city.

Today, we have an opportunity to take another giant step in preserving the Gorge for posterity. Last March, Senator Packwood introduced legislation in the United States Senate to protect the Columbia Gorge, with these words: "The people of the Pacific Northwest are entering the final stage of a decades-long effort to insure the uniqueness of an extraordinary landscape and natural resource. The legislation we propose today will establish a Federal, State, and local partnership to provide for the orderly management of the Columbia Gorge".

Nancy Russell and Friends of the Columbia Gorge have worked almost single-handedly for the past two years on this project. Enabling legislation has been introduced in Congress. The concept of the Gorge as a National Scenic Area has been endorsed by Governor Atiyeh, Senators Hatfield and Packwood, and Representatives AuCoin, Weaver, and Wyden. Final enactment by Congress can be achieved in 1983 with the active support of Washington's Governor Spellman and its Congressional delegation. This will require continuing to build public awareness in the state of Washington and Washington, D. C.

It is particularly appropriate that the local business community take a commanding lead in providing the required funds. Friends of the Columbia Gorge has a budget of $85,000 for operations through 1983, with the very realistic expectation of completing the job in that time.

We hope you will favorably consider a $1,000 tax-deductible contribution to this project. (Check payable to Friends of the Columbia Gorge. Envelope enclosed.) One of us will give you a call.

Very sincerely,

Brot Bishop
Don Frisbee
John Gray
Charles Luce
Bob Noyes
Louis Perry
Jordan Schnitzer
Bob Wilson

Only nature can produce the living fiber...Wool

Senator Hatfield:

3/25/83

Mr. Chairman:

I appreciate the opportunity to express my opposition to the proposed National Scenic Area in the Columbia River Gorge (H.R.6001, H.R.6002, H.R.6026, S.2318, S.2319)

I abhor the loss of freedom that such legislation would guarantee.

H.R.6001 Section 6 states that the National Scenic Area management plan will designate appropriate uses of all lands in the Gorge. The people will have no voice. The Forest Service will virtually control every inch of the land.

S.2318 Section 12, H.R. 6001 Section 8 states that our land can be condemned by the Forest Service and then sold to someone else. Will we be forced off of our land simply to turn it over to someone else - someone that is more acceptable to the Forest Service?

S.2318 Section 5, H.R.6001 Section 6. Although the National Scenic Area Act was not adopted as of 7/1/81 that will be the cut off date. All homes (especially ones located in "critical" areas) built after 7/1/81 are very likely to be condemned.

During the Vietnam Era, I enlisted and spent 4 years in the service. I returned home to build my life and enjoy the freedoms that I thought my contribution had assured.

I urge you to oppose the Columbia Gorge Protection Act of 83.

Curtis C. Esch

Curtis C. Esch
P.O. Box 531
Carson, Wa. 98610

I had to use the Columbia Gorge Protection Act of 82 for reference since I was late getting a copy of the Columbia Gorge Protection Act of 83. Except for 2 or 3 minor changes they are identical. Both copies (82 & 83) contain the above references.

Senator **Hatfield**. I'd like to invite Mr. Rizor, Ms. Esch, Ms. Hepburn, and Mr. Carpenito to the panel, please.

STATEMENT OF GEORGE A. RIZOR, JR.

Mr. **Rizor**. Senator Hatfield, ladies and gentlemen, I'm Col. George Rizor, retired director of Worldwide Army Air Traffic Control. I appreciate this first opportunity I've been given to testify in Federal legislative hearings on the Columbia River Gorge. My testimony is appropriate because for nearly 20 years I have owned one of the largest pieces of waterfront property in the heart of the gorge.

I grew up in Portland, and have enjoyed the beauty of the Columbia River Gorge all my life. I have a 20-year-old plan to build a home and recreational facilities on my property, and sell portions of it to a few other people to do likewise.

Other families must be allowed to buy into the project to make it economically feasible. Several experts and I have been studying for many months how to best utilize the land in accordance with current Columbia commission policies, and county and State laws. Any final detailed plan will require any homes that may be built to be hidden in several acres of trees, and road frontage to be landscaped. The project, when completed, will be the most beautifully manicured and maintained recreational garden spot in the gorge.

My land, as well as other privately owned land in the gorge, is an important issue with you, your constituents, and sympathizers here today. And I agree. However, this Earth is considered by many to be all important. Land isn't being manufactured anymore and must be preserved, they believe, forever, as it is, at all costs, for future generations.

This popular world view commonly held by modern man further insists that man is a part of nature, and as he emerges he interacts with his natural environment. He must control the enhancement of human life, including the aesthetics of nature, by changing economic order. This will facilitate realization of the goal for all, which is a shared life in a shared world.

Some of these ideas seem admirable on the surface. But, I have just outlined a false religion to which I do not subscribe. It's based on the misguided wisdom of a few men, not God's truth. I have quoted phrases from nearly half of this religion's first manifesto.

The ideas of this religion permeate our society today, and are at the root of the issues behind the type legislation we are discussing here today. Such legislation is designed to control people. The religious background is not readily apparent to the general public, and the religious background is never openly discussed in public.

Land is not the most important issue here today. God made land simply for the enjoyment and use of people. He made people to rule over the Earth, fill it, and subdue it, work it and take care of it. Those are quotes from the first two chapters of the only book in this world that contains total truth about total reality—the Holy Bible, God's living word.

Of the two world elements, then, land and people, from God's point of view, people are the only issue, and their freedom of action is paramount.

Furthermore, His word clearly teaches that His plan specifies private, individual ownership of land, with minimal local-level supervision, and no national land-use control except for boundary defense.

The basic issue here today, then, is control of people. Control over my use of my land, and others like me, by any element of the Federal Government can mean only more restriction. There can be no positive result.

Defense of property rights and appropriate strengths and levels of representation for property rights are of fundamental importance in our free Republic. Property rights representation is as important as tax representation.

Remember, imperial taxation without representation over 200 years ago led to our war for independence.

Any type of Federal land control without compensation forces total dilution of local representation, is tantamount to legislation treason, and a return to political imperialism.

My humble solitary message to the Federal Government as a private property owner in the Columbia River Gorge, in short, is either buy my land or keep out.

May God bless you and guide you in your deliberations, Senator. Thank you.

Senator HATFIELD. Thank you.

[The prepared statement of Mr. Rizor follows:]

Col. George A. Rizor, Jr. U.S.A. (Ret.)
3103 N.W. 9th Avenue
Camas, Wa. 98607
Phone: (206) 834-3848

STATEMENT

(Unabridged version of the STATEMENT given)

PRESENTED BY: Colonel George A. Rizor, Jr., U. S. Army (Retired)

GIVEN: Friday, 3/25/83, in Portland, Oregon

BEFORE: The United States Senate,
Committee on Energy and Natural Resources,
Subcommittee on Public Lands and Reserved Water.

CHAIRMAN: Senator Mark O. Hatfield, Oregon

Senator Hatfield, Ladies and Gentlemen, I am Colonel George Rizor, retired director of Army Air Traffic Control. I appreciate this first opportunity I've been given to testify in Federal Legislative hearings on the Columbia Gorge. My testimony is appropriate, because for nearly twenty years I have owned one of the largest pieces of waterfront property in the heart of the Gorge. I grew up in Portland and have enjoyed the beauty of the Columbia River Gorge all my life. I purchased my property in the Gorge during a period when I was traveling the world extensively and found its view to be equal in beauty, and its recreational potential also equal, to any place on this great earth that God made for us to enjoy and use.

My property in the heart of the Gorge, on the Washington side of the river, is immediately north of Multnomah Falls, and the Government Island in the middle of the river that hides much of it from highway elevation in Oregon. The property's northern boundary begins at about 400 feet above the river, with an unmatched prime panoramic view of the entire western Columbia River Gorge. The land then slopes gently down over one-half mile of: thousands of trees and ferns, acres of 10-12 foot high blackberry briar patches, and vast fields of stinging nettles; to a quarter-mile long riverfront beach covered with dozens of the huge log-remains of trees, downed by many years of bank erosion.

The Nature Conservancy, a national environmental organization that purchases unique plant and animal habitat land, studied my property for their own purposes and reported essentially that it: does not contain any significant ecological values. This finding supports my twenty-year old plan to build a home and recreation facilities on my property, and sell portions of it to a few other people to do likewise. Other families must be allowed to buy into the project to make it economically feasible. A large cash investment is required to clear and keep out the blackberries, stinging nettles, clean up the waterfront, stop bank erosion, maintain roads, add utility lines and generally beautify and improve the area. Several experts and I have been studying, for many months, how to best utilize the land in accordance with current Gorge Commission policies, and County and State laws. Any final detailed plan will require any homes that may be built to be hidden in several acres of trees, and road frontage to be landscaped. The project when completed will be the most beautifully manicured and maintained recreational garden spot in the Gorge. Furthermore, those of us that are privileged to share in this project won't object to the parking lots full of cars at Multnomah Falls, its restaurant, and the thousands of people viewing the falls on your side of the three-mile wide Gorge. That is we won't object if you won't object to my strategically located, camouflage-hidden house, and a few of my family and friends on our side of the Gorge, over two miles away. Since the river itself is over one and a half miles wide there, we promise not to let the kids throw rocks, or even silver dollars, at you.

My land, with its plant and animal inhabitants, as well as other privately owned land in the Gorge, is an important issue with you, your constituents, and sympathizers here today; and I agree! However, this earth is considered by many to be all important; because of its mysterious, accidental initiation, and its slow improvement over billions of years by random processes. Today, land isn't being manufactured any more, and must be preserved, they believe, forever, as it is, at all costs, for future generations. This popular world-view, commonly held by modern man, further insists that:

Man is a part of nature, and as he emerges he interacts with his natural environment for complete realization of his human personality. In a cooperative effort to promote social well-being, he must control the enhancement of human life (including the esthetics of nature) by changing economic order. This will provide a more equitable distribution of the value and means of life, and facilitate realization of the goal for all, which is a shared life in a shared world. Some of these ideas seem admirable on the surface, but I have just outlined a false religion to which I do not subscribe. It is based on the misguided wisdom of a few men, not God's Truth. I have quoted phrases from nearly half of this religion's First Manifesto! The ideas of this religion permeate our society today, and are at the root of the issues behind the type legislation we are discussing here today. As with much legislation of this type, which is designed to control people, the religious background is not readily apparent to the general public, and the religious background is never openly discussed in public.

Land is not the most important issue here today. God made land simply for the enjoyment and use of people. He made people "to rule over all the earth --- fill it and subdue it --- work it and take care of it." Those are quotes from the first two chapters of the only book in this world that contains Total Truth about Total Reality--The Holy Bible, God's Living Word. Of the two world elements--Land and People--

from God's point of view; People are the only issue! Further, His Word, in the books of Joshua and Judges as well as many others, clearly teaches that His Plan specifies private individual ownership of land, with minimal local level supervision, and no national land use control, except for boundary defense.

The basic issue here today, then is control of people. Given my background, with more than half of my military service in the Washington, D. C. area, the meaning of control is well understood. Control over my use of my land (and others like me) by any element of the Federal Government and other governmental agencies from other states in this great Union, can mean only more restriction; with only negative consequences. There can be no positive result, since there isn't anything positive the Federal Government can do for me, or give me, that I don't already have; except money.

The Gorge is too large and economically diversified for anyone to buy, including our Federal Government. However, if I were to accept money from the Federal Government, then my land would become its property, and I would then defend its property rights. Defense of property rights, and appropriate strengths and levels of representation for property rights, are of fundamental importance in our free republic. Property rights representation is as important as taxation representation; remember imperial taxation without representation over 200 years ago led to our War for Independence. Any type of Federal Land control, without compensation, forces total delusion of local representation, is tantamount to legislative treason, and a return to political imperialism! My humble solitary message to the Federal Government as a private property owner in the Columbia River Gorge is, in short; either buy my land or keep out!

May God bless you, and guide you in your deliberations, Senator. Thank you.

Senator HATFIELD. Ms. Esch.

STATEMENT OF SHERRY ESCH

Ms. ESCH. My name is Sherry Esch. I am a Skamania County resident.

I'm also a member of the I.B.E.W. Local No. 125 of Portland, Oreg. The business manager has asked me to introduce his statement, and I'll drop it off on the way out.

Senator HATFIELD. Be very happy to receive it.

Ms. ESCH. My husband and I are gorge property owners. Although I am speaking only for my family, I feel that in some way I must represent our countless friends and neighbors that wish to speak today, but were denied that opportunity.

When I look at S. 627, I see our people, the people of the gorge. S. 627 never addresses the people. How does one ignore 41,000 residents?

Senator Hatfield, you are known as a humanitarian—yet you support this legislation.

S. 627 grants extensive powers of condemnation to the Secretary of Agriculture. It undermines the tax base not only of Skamania County, but Washington State. In fact, the process has already begun.

Proponents of this legislation say that residents will be paid for their confiscated property. But, present-day practices prove that to be a fallacy. Past experience proves that people are uprooted with little or no compensation. Besides, how do you compensate for destroyed community life?

Regardless of price, the gorge is not for sale. We cherish our homes, and we cherish our communities. We plan to keep them.

You have introduced this piece of legislation twice, so you must be aware of all the repercussions involved. The F.O.G. have told us for 2 years that we are insignificant, that we will soon be a park. But I disagree. I am willing to place myself, my family, and the people in God's hands. I ask His loving care for each of these special and unique people.

Senator Hatfield, when you go home tonight, I urge you to seriously consider this proposed legislation. Is this the legacy that you wish to leave to the people of the Columbia River Gorge?

Our forefathers gave us the Declaration of Independence. Will your gift to the gorge people be a declaration of taking?

Thank you.

Senator HATFIELD. Thank you. [Applause.]

[The prepared statements of Ms. Esch and Mr. Ayers follows:]

3/25/83

Senator Hatfield:

I am Sherry Esch, Skamania County resident. My Husband and I are Gorge property owners. Although I am speaking only for my family, I feel that in some way I must represent our countless friends and neighbors that wished to speak today but were denied that opportunity.

When I look at S.627 I see our people, the people of the Gorge. S.627 never addresses the people. How does one ignore 41,000 residents?

Senator Hatfield, you are known as a humanitarian. Yet, you support this legislation.

S.627 grants extensive powers of condemnation to the Secretary of Agriculture.

It undermines the tax base not only of Skamania County but Washington State. In fact, the process has already begun.

Proponents of this legislation say that residents will be paid for their confiscated property. But present day practices prove that to be a fallacy. Past experience proves that people are uprooted with little or no compensation. Besides, how do you compensate for destroyed community life?

Irregardless of price the Gorge is not for sale. We cherish our homes and communities. We plan to keep them.

You have introduced this piece of legislation twice, so you must be aware of all the repercussions involved.

The FOG have told us for two years that we are insignificant, that we will soon be a park. I DISAGREE.

I an willing to place myself, my family and the people in God's hands. I ask His loving care for each of these special and unique people.

Senator Hatfield, when you go home tonight I urge you to seriously consider this proposed legislation. Is this the legacy that you wish to leave to the people of the Columbia River Gorge?

Our forefathers gave us the Declaration of Independence. Will your gift to the Gorge people, be a Declaration of Taking?

Sherry Esch
P.O. Box 531
Carson, Wa. 98610

International Brotherhood
of Electrical Workers

IBEW

LOCAL No. 125
211 N. E. 18th Avenue
Portland, Oregon 97232
Tel.: 234-5327

STATEMENT OF

R. W. AYERS, BUSINESS MANAGER

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 125

Senator Hatfield:

The members of our Local Union, employed by Clark County PUD — Klickitat County PUD — Skamania County PUD in Washington and Northern Wasco County PUD — Wasco REA — Hood River Co-op — City of Cascade Locks in Oregon, declare and advocate the following:

A. This God given gift of beauty must be preserved.

B. As nearly as possible, control should be retained at the local level.

C. We generally support the position and proposed solution put forward by the Governors of Oregon and Washington

R. W. Ayers

March 25, 1983

Senator HATFIELD. Ms. Hepburn.

STATEMENT OF JEAN HEPBURN

Ms. HEPBURN. Senator Hatfield, and members of your committee, my name is Jean Hepburn. I live at 42606 Northeast Crown Point Highway, formerly Scenic Highway No. 30. I've lived in the Columbia Gorge for over 45 years, and I'm testifying for the Oregon State Grange, a fraternal organization of 12,000 members in Oregon.

During the 109th annual session of the Oregon State Grange in Rainier, Oreg., June 14 to 18, 1982, the following resolution was adopted by the delegates and became the policy of the Oregon State Grange:

> Whereas, there is a movement by our Federal Congressmen Hatfield and Packwood to put the Columbia Gorge under the control of the Federal Government;
>
> And, whereas, this is of interest and concern of the States of Oregon and Washington, and the people who are the landowners and living in the area;
>
> And, whereas, the Gorge is located within the boundaries of the States of Oregon and Washington;
>
> Resolved, that we oppose this movement, and recommend that the gorge be left in the care of the States of Oregon and Washington, and the people living within these boundaries;
>
> And, be it further resolved that this resolution be sent to Senators Hatfield and Packwood.

The Grange has long been concerned with the Government's use of eminent domain for recreational purposes.

Submitted by Jean Hepburn, master of Columbia Grange No. 267, member of Multnomah County Pamona Grange, the Oregon State Grange, and the National Grange.

If I have a few minutes left, I'd like to bring a little family interest into this. The Columbia River Gorge is still a very special place of beauty. Pioneers have lived in the Columbia River Gorge for 150 years, Native Americans for more than 1,000 years.

When did the first traveler or tourist come to the Columbia River Gorge—150 years ago, or maybe 500? History, as we know it today, is very limited. Mostly tales of a human memory. We are told the Columbia River Gorge is 11,000 years old.

Young or old, the Columbia River Gorge is still a special place of beauty, sometimes vicious but always beautiful.

We all agree the Columbia River Gorge has changed and will continue to change. Congress cannot stop it, and they cannot control it.

Any control or designation on the Columbia River Gorge will affect only the people of the Columbia River Gorge, not the beauty of the Columbia River Gorge.

To attempt to put the Columbia River Gorge in a restricted class, a scenic area, would be a crime to a part of America, that by its own beauty should remain free.

My husband and I have lived in the gorge for close to 47 years. We've enjoyed every one of them, and expect to enjoy a few more. When we leave, we will leave this beauty to others to enjoy, for, as the Good Book says, we brought nothing into this world, and we will take nothing out of it.

Thank you.

Senator HATFIELD. Thank you.

Mr. Carpenito.

STATEMENT OF JIM CARPENITO, WASHINGTON ASSOCIATION OF REALTORS

Mr. CARPENITO. Thank you, Senator. I'm here to represent the Washington Association of Realtors.

I do want to show on the record that my home is in Battle Ground, Wash. I'm not paid staff, I'm a volunteer.

I take the privilege today to tell you a little bit why our association is involved in this issue. If one knows anything about our association, its fundamental principle is based on the protection of private property rights. Today, I am happy to say I can deliver to you, Senator, not only the packet on the Washington Association of Realtors, but also a document by the Oregon Association of Realtors opposing Federal control of the Columbia Gorge; and, also tell you our membership of over 600,000 people in the United States, the National Association of Realtors, went on record earlier this year, in Florida, in opposition to Federal control of the gorge.

Why are the realtors involved? Because we have read your bill, to our delight, and have found out that the bill is in opposition to our beliefs when it comes to the fundamental protection of private property rights.

One of the things I'd like to do is get away from my talk because you've got that packet, and I'd like to make some comments on what I've seen happen today, and clarify some things.

Earlier this morning, somebody spoke on behalf of Joe King, who's the 49th district representative of the State of Washington. His district stops at the 205 bridge. It does not go into the gorge area. He is a minority and his report was a minority.

Right now, in Olympia, SJM110 has been passed out of committee opposing Federal control of the gorge. I'd like to submit that document.

I'd also like to say that Representative Sutherland and Senator Hal Zimmerman, who are both heavily into the district of the Columbia Gorge—that's their territory—are opposed to Federal control.

So, I do not want you to be misled that the Oregon—or, that the Washington State delegation is in favor at all of Federal control.

Also, I heard someone speak earlier about the growth that's going on in Clark County, and how this growth is going to go out and reach into Skamania County and destroy the lands. Earlier this year, our Clark County commissioners held a hearing on the expansion of their urban boundary lines. They refused to expand their own urban boundary lines because the record shows the growth was not that much increased and, therefore, there was no need, for approximately the next 5 years to even expand their own growth boundary lines.

Do not be misled; there's no superdanger of growth in the gorge.

Next is your bill 627. It's probably one of the most abusive bills I've seen yet on private property. But, what concerns me more is there's real abuse in the right of condemnation. I refer to the section of the bill that talks about the right of condemnation on private property owners in the resale to another property owner that is more in line with the belief of whatever that commission will be on the gorge. This is definitely an abuse of the condemnation privilege.

Also, I'd like to submit into the record "Roadblock to Tourism" which came out of the Oregonian, which demonstrates clearly that more regulation will not help tourism. In fact, in Oregon it's hurting tourism, as Governor Atiyeh's commission has seen.

Private property rights are a beautiful part of America, too, just as beautiful as flowers. It is the foundation of America. Our Constitution guarantees these rights. But, how many people know what these bundles of rights are? The courts and the Constitution have established the following rights: The right to use your property; the right to sell your property; the right to lease your property; the right to enter your property; the right to give it away; and, sixth—and one that's critical to this bill—the right to refuse to exercise any of the above rights. You have a right in this country to just let your property sit there. This bill jeopardizes that right.

Earlier, we heard someone talk about this big subdivision in Wind River. That subdivision consists of two existing homes that will be divided into two lots, with each one an existing home. A two-lot subdivision would not be considered a threat to the area.

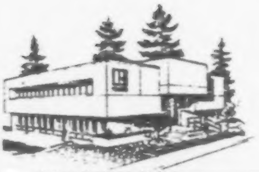
Next, as I've heard a lot of rumors about the strength of the Friends of the Gorge and the coalition on this issue, enough that made me write a letter to Vice President Bush. Earlier this week his staff called me and informed me of the following thing: Vice President Bush says that this is a local issue, for local citizens; he is not supporting the Friends of the Gorge.

The supporters want us to believe that local government has failed, so they want to go to the Federal Government where they believe they will have the strength.

Thank you.

Senator HATFIELD. Thank you, very much. I appreciate your testimony. [Applause.]

[The material submitted by Mr. Carpenito follows:]



The REALTOR® Building

Washington Association of REALTORS®

Suite 200 • 504 East Fourteenth
Post Office Box 719 • OLYMPIA, WASHINGTON 98507
(206) 943-3100

March 25, 1983

Senator Mark O. Hatfield, Chairman
Subcommittee on Public Lands and Reserved Water of The
Senate Energy and Natural Resources Committee
Washington, D.C. 20510

Re: Columbia River Gorge

Dear Senator Hatfield:

On behalf of the Washington Association of REALTORS® I would like to thank you for the opportunity to present our position regarding The Columbia River Gorge. Although I cannot attend todays hearing, Jim Carpenito, a REALTOR® from Vancouver will present oral testimony on behalf of this association.

Both the National Association of REALTORS® and the Washington Association of REALTORS® are opposed to any attempt by Congress to impose additional federal control of non federal land in the Columbia River Gorge. Land use planning and control should remain at the local level where the people can best be represented. We take great exception to your position that our state and local governments lack "sufficient resources to provide growth management." All of the counties on both sides of the river have active and effective planning agencies. In fact both Oregon and Washington have sufficient land use and environmental laws to plan for the future of the Gorge.

Attached for your information is a more in depth statement of our position. In closing, I would like to say that with all due respect, the State of Washington does not need this legislation proposed by yourself and Senator Packwood.

Thank you for the opportunity to present our position.

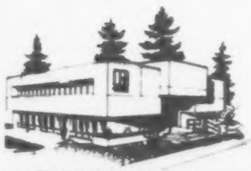
Sincerely,

Wayne Fletcher

Wayne Fletcher, President

WF:SH:ga 4526
Attachment
cc: Washington Congressional Delegation

is a registered collective membership mark which identifies real estate professionals who are members of the NATIONAL ASSOCIATION OF REALTORS® and subscribe to its strict Code of Ethics.



The REALTOR® Building

Washington Association of REALTORS®

Suite 200 • 504 East Fourteenth
Post Office Box 719 • OLYMPIA, WASHINGTON 98507
(206) 943-3100

POSITION STATEMENT

DATE: March 25, 1983

SUBJECT: Federal Control of the Columbia River Gorge

This statement represents the position of the Board of Directors of the Washington Association of REALTORS® regarding federal control of land within the Columbia River Gorge.

The association is opposed to increased federal control of non-federal land in the Gorge area as it is both unwarranted and unjustified. Our position is summarized as follows:

- Land use control in the Columbia River Gorge should be left up to the existing state and local authorities who can assess the needs of local citizens and property owners. Private property owners can best be represented at the local level.
- Adequate controls are available already in Washington law, including 58.17 RCW, platting and subdivision; 36.70 RCW planning enabling act; 43.21C RCW state environmental policy act; 90.58 RCW, shorelines management act; 58.19 RCW, land development act; and many others.
- The need for federal control has not been justified by the proponents of the legislation.
- By failing to recognize the need for a timely link between authorization and appropriation, congress and the administration would have a virtual blank check to identify lands for purchase regardless of their national value and the impact on the private property owner.
- The constitutional rights of private property owners must not be infringed upon. An indirect condemnation of private land is often the result of current acquisition and land use policies. From the private property owner's perspective, present and future uses and values are frequently greatly diminished with no prospect of compensation forthcoming.
- Practical hardships are often placed on property owners who are placed in "limbo" of being subject to total federal control but not actually purchased. If the owner desires to sell his/her property already identified for eventual

a registered collective membership mark which identifies real estate professionals who are members of the NATIONAL ASSOCIATION OF REALTORS® and subscribe to its strict Code of Ethics

acquisition and the government will not promptly acquire and compensate on a timely basis for whatever reasons, the property owners suffer real economic and personal hardship, and this hardship may continue over a long period of time.

- The proposed Senate Bill 627 offers no assurance that the rights of the citizens and property owners will not be severely abused. Nor is there any guarantee that state and local governments will have an effective voice in the final adoption of the management plan.
- Many Washington property owners in the Olympic Peninsula area have had the unfortunate experience of living under federal control. They have had their Constitutional rights ignored by the "administrators" of the federal control.
- The proposed bill does not protect existing land uses. Undoubtedly a vast number of lawsuits will be filed against the federal government over the issue of inverse condemnation and payment of both interim and permanent damages.

Position Statement

Columbia River Gorge

Currently the United States Congress has before them a senate bill which would place 480 square miles of private property within the Columbia River Gorge (Oregon and Washington) under federal control.

The need for federal control has not been justified by the proponents of the legislation. Findings contained in the first section of each of the previously referenced bills portray a very flattering image of the Columbia Gorge. We do not disagree that the gorge is a very scenic area, but there are many other areas in Washington which are just as precious as the gorge. Federal intervention in the Columbia Gorge could begin an irreversible trend to place additional land in Washington under federal control. Surely this cannot be the desire of the citizens of Washington and the members of congress.

The Columbia River runs along the Washington-Oregon border at sea level, slicing through the Cascade Mountains. Vistas are numerous in the gorge, ranging from sand dunes and grasslands in the eastern end to green forests in the west. Distinctly different climates meet in the Gorge. The gorge is one of the main transportation routes in the Northwest via a four-lane highway, railroads and barge traffic on the river.

To date development in the gorge has taken place at a comparatively slow rate, due to the lack of demand for developable land and because of the physical limitations of the gorge itself. Much of the area in question is unsuitable for large scale development. Further the gorge is isolated from major urban areas. If and when growth significantly increases in the gorge, there already exist adequate state and local regulations to provide an adequate protection of both the public and private interests.

The proposed senate bill should be considered a slap in the face to the state of Washington and its local governments. Reference is made to "uncontrolled development" in the gorge. Within this unqualified statement is the premise that Washington has been totally negligent in land use controls. Nothing could be further from the truth. Washington has in place, and is using, a very powerful Planning Enabling Act, Shoreline Management Act, State Environmental Policy Act, Subdivision law and a statewide health code. All of these "tools" are available to local governments to be used as needed by the locally elected officials. They do not need to be told by a federal agency how and when to do their job.

The senate bill does not give adequate consideration to protection of the private property rights of the landowners in the Columbia Gorge. The "purpose" of the bill is void of any mention of individual rights or compensation to landowners whose potential land use will be destroyed or diminished. Consideration of property rights as guaranteed by the constitution should be of paramount importance to

Washington Association of REALTORS®
March 25, 1983

Congress of the United States. The bill does address the possible federal purchase of some "fragile lands" in the future, but no mention is made about the availability of such funding.

If the bill is adopted, the ability of private landowners to use their land would be virtually eliminated. The "critical" areas would be frozen immediately and the balance when interim guidelines are adopted by the Forest Service. Although temporary, these guidelines would likely be in effect for some years to come. In the meantime, property owners will have no guidance as to property use. How can anyone even offer their property for sale under those conditions? The proposed bill would not offer any interim damages to the owners.

In December, 1981, the Governor's Select Committee on the Columbia River Gorge issued its findings and recommendations to Washington Governor John Spellman. Without passing judgment on the past adequacy or inadequacy of local decision making in the gorge, the committee made the following recommendation: "...the committee feels that local units of government should retain the primary responsibility for land use decisions, subject, however, to review against a specific set of criteria developed to maintain the unique qualities of the gorge. Only when local jurisdictions have failed to respond in a reasonable amount of time should a federal solution be sought." The Washington Association of REALTORS® agrees with the position of the committee regarding federal control. The question as to any need for state approved or certified land use plans has not been addressed by the association.

Preservation of the Columbia River Gorge is being backed by the Portland based environmental group "Friends of the Columbia Gorge". Supporters of the group include a long list of well-known political figures in Oregon and Washington. The "friends" have been active since 1980.

BACKGROUND ON FEDERAL CONTROL AND ACQUISITION

The federal government owns one-third of all land in the United States totaling more than 760 million acres, of which 60 million acres have been acquired from private interests. This acquisition has been accelerated in recent years. During fiscal years 1973-1977 the Park, Forest, Fish and Wildlife Services acquired 2.2 million acres of land, at a cost of $606 million. These acquisitions are accompanied by an even greater amount of authorized but unacquired land totaling approximately 3 million acres valued at over $3 billion.

Numerous government agencies are in the land acquisition business with the Park Service, the Fish and Wildlife Service and the Forest Service in the forefront. Accompanying these federal agencies are state governments that hold a small but growing percentage of U.S. land--approximately six percent. The combined acquisition efforts of these government entities have resulted in the different predicament federal land acquisition has become.

Washington Association of REALTORS®
March 25, 1983

The government's drive for land acquisition has been spurred on by the Land and Water Conservation Fund. To provide a continuing source of money for outdoor recreation, the fund was initiated in 1965 with authorized funding escalating to $900 million per year through 1989. With a large reservoir of authorized federal funds at its disposal, past congresses and administrations have displayed a "blank check" approach when authorizing but failing to appropriate for private lands. The reservoir repeatedly runs dry when private lands are finally to be purchased.

The administration has dramatically reduced funding for federal agency acquisition by some 85% and eliminated federal matching grants for state planning, acquisition and development. Secretary Watt proposed amending the authorizing statute to allow Land and Water Conservation funds to be allocated for rehabilitation and restoration of existing facilities. The secretary had stated that a moratorium on land acquisition and the rehabilitation of existing federal property are the cornerstones of current public land policy. Although the administration has rapidly recognized the problem and taken steps in this area, a policy to address and accommodate the rights and concerns of private property owners whose land has been identified for acquisition with little hope of timely compensation should be expeditiously reviewed.

PRESENT PROBLEMS

The Park, Forest and Fish and Wildlife Services cumulatively have over three million acres of private land valued at roughly $3 billion identified for acquisition but not yet purchased by the federal government. This acquisition backlog is growing increasingly expensive as land prices increase at rates of 10-15% annually. This situation and the prospect of an indefinite freeze on acquisition intensifies the uncertainty imposed on affected landowners. The exact impact of such a policy--or lack thereof--is difficult to calculate. However, the personal hardships are obvious.

In a recent survey of local REALTOR® boards in areas where national parks have been either proposed or only partially acquired, the association hoped to learn of specific problems local residents and communities are experiencing. Although not complete, initial responses to a REALTOR® questionnaire indicates that some areas are recognizing particular difficulties. One area in Michigan reports property values decreasing by more than 15% as did some areas of California. In south Florida owners have been denied use of their land for recreational purposes and some agricultural interests. The local real estate market has been affected as a vast area of almost one million acres has been withdrawn from development consideration. Landowners in one area of Georgia are anxious to have their land acquired immediately since they are hesitant to make use of their property because it is subject to either immediate condemnation or eventual acquisition by the government.

Washington Association of REALTORS®
March 25, 1983

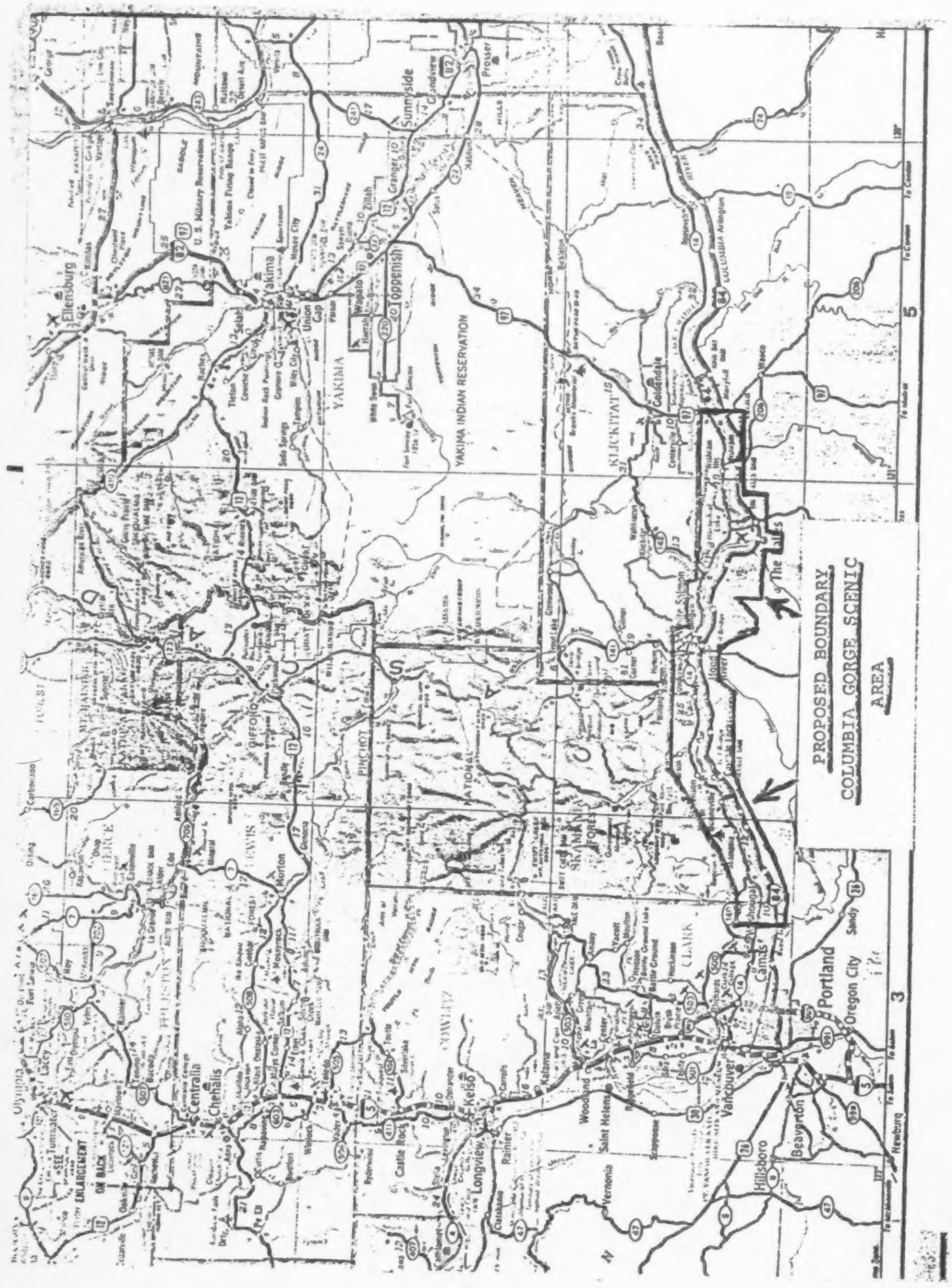
Even more telling is a response received by REALTORS® in Guam who report economic hardships resulting from acquisition practices. Public hearings on acquiring identified land were completed 30 months ago and the wait continues as the prospect for appropriations remains doubtful. The area to be acquired is to be a monument with no recreation or economic activity permitted. Affected villages will become isolated and will remain poor as development opportunities are denied. It is anticipated that not even the tourist industry will be enhanced.

A GAO study entitled "The Federal Drive to Acquire Private Lands Should Be Reassessed" found that large government land purchases generally contribute to escalating prices of adjacent lands. Purchases also can erode local tax bases, stifle economic activity, and preclude agricultural use. The study also found that government agencies do not critically determine what lands to purchase but rather buy as much as possible as funds are available. Although agency policies and procedures emphasize consideration of alternatives to fee-simple acquisition, these are generally ignored and lands are purchased until funds are exhausted. Without project priorities for acquisition, some unessential lands are acquired. Costs of acquiring the land and the impact on the community and private owners are also often ignored. This can result in not only higher costs to the federal government but undue hardships on landowners and local communities.

By way of background the Washington Association of REALTORS® is comprised of over 10,000 members involved in every aspect of real estate. The association is vitally concerned for the protection of private property rights and is determined to ensure that these rights are considered when land use regulations are implemented whether it be at the local, state or federal level of government. Additionally, as an organization whose membership depends on a healthy private real estate market, our association can only support land use controls that are prudent and truly in the public interest.

For further information regarding the position of the Washington Association of REALTORS®, contact the Executive Vice President, P.O. Box 719, Olympia, WA 98507 (206) 943-3100.

Washington Association of REALTORS®
March 25, 1983



PROPOSED BOUNDARY
COLUMBIA GORGE SCENIC
AREA

Ellensburg
Yakima
Selah
Union Gap
Wapato
Toppenish
Zillah
Granger
Sunnyside
Grandview
Prosser
U.S. Military Reservation
Yakima Firing Range
YAKIMA
YAKIMA INDIAN RESERVATION
KLICKITAT
Goldendale
Centerville
White Salmon
The Dalles
Hood River
Wasco
Arlington
COLUMBIA
MT. RAINIER
GIFFORD
PINCHOT
NATIONAL
SKAMANIA
FOREST
LEWIS
Morton
Mossyrock
Toledo
Centralia
Chehalis
Olympia
Tumwater
Lacey
Castle Rock
Kelso
Longview
Rainier
Kalama
Woodland
Saint Helens
Scappoose
Vernonia
CLARK
Battle Ground
Vancouver
Camas
Washougal
Portland
Oregon City
Sandy
Hillsboro
Beaverton
Newburg
COWLITZ
SEE ENLARGEMENT ON BACK
3
5

March '83

Roadblock to tourism claimed

By JOHN HAYES
of The Oregonian staff

Oregon's tourist industry is being hamstrung by land-use planning requirements that effectively ban any future resort developments in rural areas, a parade of developers, land-use lawyers and local officials said Wednesday.

Unless the system is changed, Oregon will never see another large-scale "destination resort" such as Salishan, Black Butte Ranch or Sunriver, they told a committee convened by Gov. Vic Atiyeh.

"We would try to build another destination resort in Deschutes County if the rules were changed," said Bill Smith, president of Brooks Resources Co., the builder of Black Butte Ranch near Bend.

"The state must lead, follow or get out of the way," he said. "Right now, you are standing right in the middle of the thing. If the rules don't change, we won't even try it."

Smith and other resort developers appeared Wednesday before a committee made up of members of the state Land Conservation and Development Commission and the state Economic Development Commission. Atiyeh ordered the new committee to report by April 1 on ways the state could unravel the planning restrictions on large resort developments.

Some 12 million visitors spent an estimated $1.3 billion in Oregon during 1981, making the tourism industry the state's third largest. And the state's destination resorts are more likely than others to attract the upper income travelers the state is seeking, said Shirley Eads, director of the state Department of Transportation's travel information section.

She told the committee that the Columbia Gorge, for example, will never become a major visitor destination until a variety of resorts is built there.

Under current land-use law, developers of most large rural resorts must apply for an exception to the state planning goals to gain permits to build in commercial forest zones or exclusive farm-use zones. To qualify for the exception, developers must prove that they have chosen the best alternative site, that there is a need for the resort and that it will have virtually no adverse impact on surrounding land uses.

Coos County Commissioner Ed "Doc" Stevenson told the committee the burden of proof developers must satisfy "is greater than the burden of proof needed to convict a person of murder."

"It's time we shoveled a path through the manure to the basic question: Does Oregon want tourism or not?" he said. "If we don't want tourism, you don't have to do anything."

A land-use planning task force created by Atiyeh last year heard many of the same complaints as it collected testimony about needed revisions in state planning procedures. The task force, headed by Hermiston rancher Stafford Hansell, recommended changes in state planning standards to recognize large resorts as a legitimate use of farm and forest land in rural areas.

Now, Atiyeh has asked the joint LCDC and EDC committee to draft a blueprint for legislative changes to accomplish that goal. But as the testimony Wednesday indicated, the question is a difficult one that goes to the heart of the balance between preservationist vs. development interests in the state's planning program.

One of the most difficult problems the committee must solve is deciding exactly what kind of a development should be able to qualify for any special treatment by land-use planners. In testimony Wednesday, there was no meeting of the minds on what the definition of a destination resort should be.

Corinne Sherton, a Portland lawyer representing four environmental groups, warned against any revisions in regulations that would allow simple recreational housing subdivisions to sidestep restrictions on rural developments.

But others, including Mike Lockhart, president of the Pacific Northwest Ski Association, cautioned against drafting a too-narrow definition. "You have to be cognizant that there is a marketplace to be considered," he said.

REALTOR®

OREGON ASSOCIATION OF REALTORS®

Executive Offices:
694 Church St. N.E.
P.O. Box 351, Salem, Oregon 97308
Telephone (503) 362-3645
1-800-452-9115

WHEREAS, the Oregon Association of Realtors feels that the position statement of the Washington Association of Realtors relative to federal control of the Columbia River Gorge is apppropriate, OAR adopts the following resolution regarding the Gorge:

Land use control in the Columbia River Gorge should be left up to the existing state and local authorities who can assess the needs of local citizens and property owners. Private property owners can best be represented at the local level.

The need for federal control has not been justified by the proponents of the legislation.

By failing to recognize the need for a timely link between authorization and appropriation, Congress and the administration have a virtual blank check to idenfity lands for purchase regardless of their national value and the impact on the private property owner.

The constitutional rights of private property owners must not be infringed upon. An indirect condemnation of private land is often the result of current acquisition and land use policies. From the private property owners' perspective, present and future uses and values are frequently greatly diminished with no prospect of compensation forthcoming.

Practical hardships are often placed on property owners who are placed in "limbo" of being subject to total federal control but not actually purchased. If the owner desires to sell his/her properrty already identified for eventual acquisition and the government will not promptly acquire and compensate on a timely basis for whatever reasons, the property owners suffer real economic and personal hardships may continue over a long period of time.

The committee further recommends that the background information from the Washington Association of Realtors be placed in OAR's records as supporting documents for OAR's position.

REALTOR®—is a registered mark which identifies a professional in real estate who subscribes to a strict Code of Ethics as a member of the NATIONAL ASSOCIATION OF REALTORS.

SENATE JOINT MEMORIAL NO. 110

State of Washington 48th Legislature 1983 Regular Session

by Senators Zimmerman, Bauer, Benitz, Fuller, Conner, Owen, Sellar, Hansen, Hayner and Pullen

Read first time on February 16, 1983 and referred to Committee on Natural Resources.

TO THE HONORABLE RONALD REAGAN, PRESIDENT OF THE UNITED STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, The Columbia River Gorge is the home of forty-one thousand residents of the states of Washington and Oregon who live in the location by choice, and as free and responsible citizens have managed their area in a prudent, conservation-minded manner; and

WHEREAS, The Columbia River Gorge is a vital transportation corridor and economic link between the Northwest and the products and markets of the nation and the world; and

WHEREAS, Congressional proposals have been made to place the Columbia River Gorge under centralized federal control, which proposals conflict with the sentiments expressed by the people in votes and polls in overwhelming opposition to the federal control; and

WHEREAS, The Senate and House of Representatives of the State of Washington oppose imposition of any further federal control over nonfederal land in the Columbia River Gorge;

NOW, THEREFORE, Your Memorialists respectfully pray that Congress refrain from considering legislation imposing further federal control over nonfederal land in the Columbia River Gorge.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Ronald Reagan, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

Senator **Hatfield**. I'd like to now invite Mr. Yeon, Mr. Canon, Ms. Montchalin, and Mr. Jolley.

Mr. Yeon.

STATEMENT OF JOHN YEON

Mr. **Yeon**. Thank you, Senator.

The map on the wall, over there, to the right of the auditorium, covers only the western section of the gorge, from Washougal to Hood River. The red, orange, and purple areas are the portions of the landscape which are protected by parks of various categories.

The largest such park is the Columbia Gorge Recreation Area of the National Forest Service, shown by orange.

If the color key is understood, I believe that the map speaks for itself. Indeed, it shouts for itself. Its loud message explains the bizarre lack of balance in the protective custody of the twin sides of the indivisible landscape—so extensive on one side, so meager on the other.

Various theories have been advanced for this imbalance. One is that Oregon has been more generously endowed by nature with outstanding park potentials because of its abundance of waterfalls. On the contrary, I believe that exceptional park potentials of a different sort exist in Washington. These are little known because the Evergreen Highway does not traverse them. In the process of avoiding them, it has spared them.

The freeway on the Oregon side enjoys the scenery of its water level route, but has usurped much of the narrow shoreline. An exception is at Rooster Rock State Park, one of the most heavily visited parks in Oregon. The freeway and confining topography have made other such parks impossible.

In Washington, there are many miles along the river where both the highway and the railroad are well inland from the shore. There's ample space to accomodate extensive public use and enjoyment on broad shortline formations. These areas in the depth of the gorge offer views of the surrounding ramparts which reach heights of nearly 4,000 feet within sight of the shore. These areas are like the floor of Yosemite Valley and surpass in splendor of views and riverside recreational opportunities anything of this kind on the Oregon side. They are superlative in terms of national riverside landscapes, and would compose some of the most beautiful parklands in America.

Then there are high areas on the Washington side which also have superior park potentials. These are flatter and more easily accessible than the serrated summits in Oregon. The Washington summits stand in isolation, so that the views unfold in many directions and encompass the snow peaks of the Cascades as well as the deep canyon of the Columbia. If there is to be a high park for popular use, the Washington side presents unequalled opportunities. Wilderness buffs who may resent such a suggestion should be aware that the present destiny of most of such summits is to be logged or covered with houses.

The riverside and summit parks which are possible in Washington could accommodate, as Oregon parks cannot, the burgeoning recreation needs of nearby metropolitan areas which are the fastest growing in the region. At the same time, they'd be a source of pride and pleasure to residents in the gorge. The fame of the parks would attract visitors from across the Nation and beyond. They would become a powerful magnet for profitable tourism in the gorge.

I admit that personally I'm more interest in the strong protection of small areas than in the loose protection of large ones. But, for the gorge, I hope for both. I heartily support strong land use planning for the extended gorge, but maintain that the classic device of parks is the primary way of preserving the still surviving grandeur of the western gorge. I believe the park program must be autonomous and embrace large contiguous areas. I am not interested in a buckshot scattering of small parks at overlooks, river accesses, picnic areas, or historic sites. These are OK, but they won't protect the national interest in a nationally significant scenic phenomenon. I am perplexed by planning lingo which uses the term "critical areas" as a euphemism for some of the most glorious spots on this planet.

There is a frequent inclination to expect more of zoning for scenic preservation than zoning can deliver. Zoning is not a substitute for parks. You cannot zone for no use. You cannot zone for public access. You cannot zone for the survival of pristine, natural landscapes. In areas like the gorge, parks are the foundation stone of protection, while zoning is a valuable supplement. Programs for Federal parklands cannot be delinated by local land use planning commissions, and especially not by commissions of diverse interests and changing compositions.

So it is that I urge an up-front expansion of Federal parklands in the western gorge, within the overall national scenic area concept, but structurally independent of it. In the worst of times, either could stand alone.

I have been involved off and on in problems of gorge conservation for 50 years. Within this period, I've long since seen other Federal park proposals in which I was actively interested become established realities. The Columbia River, which has carved the gorge and is the focal center of all its views, has been the political boundary which has diversely thwarted all past efforts toward the unified protection which is obviously so essential. I'm enormously gratified that the legislation which is the subject of this hearing finally recognizes that necessity in such a constructive way.

So far, it's been easier for two nations to protect a landscape on both sides of an international border, as at Glacier-Waterton Lakes National Parks, than it has been to preserve the Columbia Gorge on both sides of a State line.

Thank you.

Senator HATFIELD. Thank you.

Mr. Canon.

STATEMENT OF JIM CANON

Mr. CANON. Senator, my name is Jim Canon. I am a resident from one of the critical areas, and I own land there. I belong to a small group of residents, and we call ourselves the——

Senator HATFIELD. Can you move just a little bit closer, please? It's not carrying.

Mr. CANON. We call ourselves the Skamania Chapter of the Friends of the Gorge. We have a wide circle of friends, but they are afraid to identify themselves. I, too, am afraid of the intense feeling in the county. As you have witnessed today, some of the feelings that exist have come out. And it's been hard to try and relate to our neighbors.

UNIDENTIFIED PERSON. Louder, please.

Mr. CANON. What has happened, I tried to find out the source of this furor, and all roads seem to lead to Charles Cushman. I met him, I saw his film, and I got a post card order form for eight GAO reports which seem to be the factual basis for his charges against the Park Service.

I was bedridden. I got the reports, and I read them all. A little background is necessary.

Americans, when they think of a national park, think of untouched beauty—untouched in the sense that there is no human activity. It's not by accident, because in our country we have a history of owning land, controlling it, exploiting it, and ruining it.

So, when the Park Service in the old days would move into an area designated by Congress as a park area, they went in to buy everything—farms, homes, and businesses had to go. As the population grew, the Congress felt it necessary to develop multiownership plans. Therefore, the national scenic areas, the National Recreation and National Seashore Acts developed. Still, the complaints poured in, and cost over-runs were endemic.

Eventually, the GAO was sent out to investigate. Their report shows the mindset of the Park Service men against change. They had ample funds. There were numbers of people ready to sell and the land acquisition went on in a steamroller fashion.

The recommendations of the GAO constitute the main beauty of those reports. These recommendations are the part of the reports that are lost in Skamania County. The GAO said to the supervisors of the Chelan Lake group that you bought a farm, the man was operating it perfectly, it now lies fallow; you bought a restaurant, it was crucial to the little community, it now is closed; you did not show where either ownership served the purposes of the enactment. It's our recommendation that you turn these back to private owners—offer them first to the original owners.

The GAO also made recommendations to the Justice Department: Streamline your requirements for clear title, you're engaging in too much condemnation suits to adjudicate a correct title. To the scenic rivers group they said a year for an impact statement is too long, you've got to get more personnel, speed up your processes; because when a river is so designated, what happens is speculation begins, and every hour and every day means more money the people of the United States have to put out.

They made recommendations to the Agriculture Department and to Interior—get your managers together, reeducate them, get them away from fee simple acquisition, work them into easements, work them into operating with local governments and the laws that are in place locally. They also said you have got to establish guidelines. The local people do not know what to expect when your managers move into an area. There is no communication at all.

The Department of Agriculture and the Department of Interior set up a task force to consider new guidelines. The President asked for a moratorium to allow them time to develop this. This develops into a blueprint for the future. I'm sorry, I've taken too much time.

Senator **Hatfield**. Do you want to conclude our comment by some sentence? You're certainly welcome to do so.

Mr. **Canon**. Well, I'm about midway through it.

Senator **Hatfield**. Well, we'll print the rest of it in the record.

Mr. **Canon**. I'll type it up when I get home and send it in.

[The prepared statement of Mr. Canon follows:]

Testimony of Jim Canon
at the March 25 hearing
before Senator Hatfield

My name is Jim Canon. I live and own property in the sensitive area at the west end of Skamania County. I am a member of a small group of residents and we call ourselves the SKAMANIA COUNTY CHAPTER of the FRIENDS OF THE GORGE. We have a wide circle of friends who are afraid to come out publicly for federal involvement. I too am afraid of the intense feelings in the county. When I first encountered them I couldn't understand the reason but eventually all roads led to Mr Charles Cushman, a man who was paid by the county to do a number on the Park Service.

I met him, saw his short film on two unfortunate families being evicted from a National Park area, and received from him a postcard order form for eight GAO reports critical of the park service. These seemed to be factual basis for the wild rumors circulating in the county. I sent for them and read them. A little background is needed.

When Americans think of a National Park they think of untouched beauty, untouched in the sense that there is no human activity. This is not by accident. Our nation's history shows a pattern of owning land and controlling it, exploiting it, and ruining it for others. So when the Park Service moved into an area designated by Congress as a national park they came in with the intention to remove all homes, private property and businesses.

Later when the population grew and private holdings increased Congress designed multiple ownership plans in the National Seashores, Recreation Areas, Scenic Areas wherein public and private ownership could coexist. Costs of acquisition continued to escalate and complaints poured in from local jurisdictions under these new plans and finally Congress sent the GAO to investigate. The eight reports are the result.

Park managers found fee simple purchase easier than working with scenic easements or supplementing local land use plans and zoning. There was plenty of money and willing sellers. Generally they were still of the mind set of steamrollering all private holdings. This part of the GAO reports Skamania county embraced. But the GAO made recommendations.

In Lake Chelan Recreation Area they said to the administrator, "You bought a farm. The farmer had it in good shape and now it is useless. You bought a little restaurant which served a community purpose and now it is closed. Neither purchase matched the purposes of the act. They should be returned to private ownership." To the Justice Department they said "Change your requirements for clear title. There are too many condemnation suits to adjudicate title." To the Scenic Rivers manager "Streamline your procedures for impact statements, add personnel. A year for a statement is too long. It permits speculation to enter and every month adds thousands of dollars to the acquisition prices." To the Departments of Agriculture and Interior the recommendations were to pull their managers in for training in ways of less-than-fee acquisition, and how to communicate and work with local communities. Both departments should develop guidelines and standard rules of acquisition. What emerged was a blueprint for the future.

The experts who worked on your National Scenic Area for the Columbia River Gorge must have held the GAO reports in one hand. Their problem was how to balance an effective administration with a fair means of resolving the conflicting interests in the gorge.

First of all they did not design a national park, but a multi-ownership national scenic area where human activity is part of the landscape. Obviously all cities, dams, transportation, lumbermills. ports, homes, farms must remain. The task of designing the gorge of tomorrow, deciding whose plans fit the pattern and whose must be denied falls to a regional commission of local and national experts equipped with public hearings and appeals. The Forest Service traditional rights to condemn property and buy in fee simple are last resort and heavily conditioned.

But the legacy of Charles Cushman lives on. General knowledge in the county encouraged by the high officials is that you can't trust the feds. This attack exploits the general alienation of the people from the federal government. They feel they are powerless in the complicated processes of government and that the people in Washington DC are not concerned with local issues. And from the "Protect your home" notices of this hearing you realize that the people of Skamania County are barricading themselves against a national park steamroller.

Moreover the governors of two states meet and agree upon a set of principles patterned closely after your proposed legislation but suggesting that the federal checkbook be handed to a committee of twenty political appointees. Ten will come from the state of Washington. Their selection by the governor will reflect the greatest pressure from legislators whose districts are in the gorge, and working under the righteous doctrine of local control Skamania County will demand a lion's share of representation. So here we have a pyramid on its point. Federal legislation, federal agencies and checkbook, two states, many jurisdictions, all waiting for a majority of six from pro-development Skamania County.

And the governors' principles do not mention an executive power. There is no experienced agency with a background of working with an area of this size and complexity. Just 20 appointees. The governors did not forget the Forest Service. They were afraid to handle the issue of a federal agency. They know or should know that the Forest Service has been in the gorge for 66 years and in that time has acquired 18,000 acres of private land by exchange or purchase without one condemnation. I repeat, 66 years and not one condemnation.

This then is the hobgobblin of Mr Cushman which is to devour our homes and ruin our lifestyle in the gorge. To Mr Cushman's credit it has already frightened a number of politicians.

Senator **Hatfield**. Thank you very much.
Ms. Montchalin.

STATEMENT OF YVONNE MONTCHALIN, AS PRESENTED BY PHYLLIS CLAWSON

Ms. **Clawson**. Senator, Yvonne Montchalin intended to be here this afternoon, but was unable to, and asked me to read her testimony. So, when I say "I" in this, this is Yvonne Montchalin speaking.

I am Yvonne Montchalin, a 30-year resident of Skamania County until recently when I moved into eastern Clark County. I retain properties in Skamania County directly across the Columbia River from Multnomah Falls. I am not a member of any local organization concerned with preserving or defending the gorge. I am a citizen deeply concerned over the preservation of a great national treasure.

I was the lead plaintiff who, with others, commenced an action in the Superior Court of Skamania County wherein George Rizor, Jr., various members of the Rizor family, and Skamania County were defendants.

Mr. Rizor is the owner of approximately 65 acres of land in Skamania County located across the Columbia River from Multnomah Falls, much of which land is steep and rugged and which he has been desirous of developing as a housing subdivision. I own one tract of riverfront property which adjoins Mr. Rizor's land on the east, and a tract one ownership removed from his property on the west.

In an obvious attempt to avoid the requirements of the Washington State laws governing the creation of subdivisions which require public hearings, Mr. Rizor divided the property into six parcels. He deeded each parcel to himself and to another member or members of his family.

Mr. Rizor then divided the acreages into a total of 24 contiguous homesites, and applied to Skamania County officials for approval of shortplats.

This procedure, if successful, would have avoided the need for public hearings required in applications for subdivisions. The filing of a lawsuit was the only avenue to prevent approval of shortplats. Our suit was filed in October 1981. We sought to enjoin further development of the property under shortplat procedures.

We were successful in securing an order for the defendants to show cause why further development of the land should not be discontinued until the matter could be finally determined by the court. After the order to show cause was issued by the court, and before the date set for the hearing, a meeting of the board of county commissioners was arranged. That meeting was held, and the county commissioners approved the Rizor shortplat applications. The court subsequently issued a temporary injunction preventing further development until the matter could be determined.

A stipulated judgment was entered in April 1982, granting the relief sought by plaintiffs, together with our costs. The attorneys' fees in an amount in excess of $13,000 were donated.

Had the plaintiffs not had the courage to file this suit, post a very substantial bond, and bear the attendant risks and verbal abuse, the subterfuge resorted to by the individual defendants, aided and condoned by Skamania County officials, would have been successful, and the poorly planned development would have become a reality.

This one incident serves as a graphic and timely example of the kinds of actions taken by one local government, some of its officials, and a local developer. It did not serve to protect the priceless beauty of the Columbia River Gorge. In my opinion this occurrence points up dramatically the need for the Federal Government to step in and create a national scenic area.

I am not unmindful of the needs of the people, but I am convinced that there are sufficient resources in the Columbia River Gorge and the vast areas lying behind it to provide for these needs, and at the same time preserve the sensitive areas for the generations as yet unborn.

Thank you.

Senator HATFIELD. Thank you, very much.

[The prepared statement of Ms. Montchalin follows:]

STATEMENT OF YVONNE MONTCHALIN

I am Yvonne Montchalin, now a resident of east Clark County, Washington. Until recently I was a long time resident of Skamania County. I presently own properties in Skamania County adjacent to the Columbia River and located across the river from Multnomah Falls. I am not a member of any organization defending or be-friending the Columbia River Gorge. I am simply a citizen deeply concerned over the preservation of a great National Treasure.

I was the lead plaintiff in an action commenced in the Skamania County Superior Court wherein George A. Rizor, Jr., various members of Mr. Rizor's family and Skamania County were defendants.

Mr. Rizor is the owner of approximately 65 acres of land in Skamania County directly across the Columbia River from Multnomah Falls, much of which land is steep and rugged. Mr. Rizor has been desirous of developing a housing subdivision on the property.

In an obvious attempt to avoid the requirements of the Washington State laws and the Skamania County ordinances governing the establishment of subdivisions and the required public hearings, Mr. Rizor divided the property into six parcels. He deeded each parcel to himself and to another member, or members, of his immediate family.

Mr. Rizor then divided the acreages into a total of 24 homesites and applied to Skamania County officials for approval of the plat on the basis that the parcels, all contiguous, constituted short plats and thus would not be subject requirements of the laws of the State of Washington governing the creation of subdivisions.

The filing of a law suit was the only avenue left after a year of seeking to have Skamania County provide a public hearing on the environmental issues surrounding the subdivision of these 65 acres into 24 homesites.

As part of my statement, you will find letters from the Washington Gorge Commission and Multnomah County officials beginning in November, 1980, requesting Skamania County to comply with Washington state laws governing subdivisions. However, Skamania County refused to recognize that the so-called "short plats" did indeed constitute a subdivision and was therefore subject to environmental review and public hearing.

During the ensuing months, the issue was raised in the news papers and in various public meetings. Skamania County officials stated repeatedly that development would never occur because septic tank approval probably would not be granted. While Skamania County was publicly downplaying the development, privately it granted Mr. Rizor two extensions of his application completion deadline.

In mid-September of 1981, neighboring property owners heard the sounds of heavy equipment and found that roads were being built on the tract. Soon after we learned that Mr. Rizor had been granted approval for 24 septic tanks. At this point we hoped that the Gorge Commission would bring action. Although in January of 1981 the Gorge Commission had requested an opinion from the Attorney General of the State of Washington, it had received no response. We had no choice but to commence a court action.

Our suit was filed in October, 1981. We sought to enjoin further development of the property under short plat procedures. After our suit was filed and before the hearing date on the Show Cause Order, Skamania County officials arranged for a meeting of the Board of County Commissioners. That meeting was held and the County Commissioners approved the Rizor short plat applications. The court subsequently issued a temporary injunction preventing further development until the matter could be determined. A stipulated Judgment was entered in April, 1982 granting the relief sought by Plaintiffs, together with costs. The plfs attorney's fees, in an amount in excess of $13,000.00, were donated.

Had the plaintiffs not had the courage to file the suit, post the very substantial bond and bear the attendant risks and verbal abuse, the subterfuge resorted to by the individual defendants, aided and condoned by Skamania County officials, would have resulted in a poorly planned development becoming established. Among the documents supporting this statement is a critique by John Yeon, Architect, party plaintiff to the law suit, conservationist and owner of property adjoining the Rizor tract on the west. Also included is a copy of the plat of the proposed subdivision of the Rizor property.

This one incident serves as a graphic and timely example of the kinds of actions taken by one local government, some of it's officials and a local developer. It did not serve to protect the priceless beauty of the Columbia River Gorge. In my opinion this occurence points up dramatically the need for the Federal Government to step in and create a National Scenic Area.

I am not unmindful of the needs of the people but I am convinced that there are sufficient resources in the Columbia River Gorge tc provide for those needs and at the same time preserve the sensitive areas for the generations as yet unborn.

Although subdivision platting is not an exact science, a body of principles exists which is endorsed by competent practitioners, educators and critics in this field. A brief summary of some of these principles for situations such as the Rizor property provides a useful comparison with the deficiencies of the Rizor platting.

The criteria differ for view property with rugged topography and for ordinary residential property with moderate contours. The Rizor tract is in a scenic area and is partially on steep terrain.

On such a site, the interior access and circulation routes are an early determinant of the subdivision plan. They are the backbone which subsequent decisions will flesh out. Their location will be influenced by topography in the avoidance of excessive cuts and fills and in the attainment of practical grades and alignments. In the location of roads there will also be an awareness of the advantages of preserving optimum building sites by avoiding the ursurpation of good sites by road locations wherever possible. Such planning is the province of site and landscape planners and not of bulldozer operators or ordinary engineers. Adequate topographical surveys for critical areas are prerequisite for skillful planning.

Because of the variables of view potential and terrain, the plan of the access roads will not be rectangular nor have regular intervals; it will reflect the special conditions of the site. In the jargon of the profession, it will be site-specific.

Other aspects of the plan which flesh out the skeletal access roads will also be site-specific and not standard geometry. The size and shape of lots, apart from minimum area requirements, will be determined by the availability of practical housesites and their view potential. The protection of views from interference by neighboring construction will be a consideration. The potential for drainage fields which would not cause seepage onto adjacent properties will be a consideration. The distribution of useable portions of land, so that no single lot has a monopoly of good or useless land, will be yet another consideration which in the aggregate will result in a varied pattern of differing lot sizes and shapes.

It requires only a superficial knowledge of the Rizor site and a quick look at the Rizor plat to realize that the Rizor platting has disregarded virtually all of these basic considerations.

The interior access roads are indicated on the plat in an off-hand manner as dotted lines. No grades or curvatures are indicated. The roads might be verbally described with as much accuracy as they are graphically described on the plan. From such sketchy information, it is impossible for county planners, planning commissions or local governments to learn how the roads would actually be located and constructed, or to assess the plat accordingly.

The vagueness of the access plan allows errors in its interpretation; possibly it is not as strange as it seems.

There are two separate access systems divided by State Highway 14. Both have a dead-end road with a sixty foot right-of-way from which branch lesser roads to various lots. Roads also branch directly from Highway 14 serving at least five lots. All are private roads.

Customarily, access roads coincide with lot lines in order to avoid property severance. None of the roads on the Rizor plat seem to coincide with lot lines, although those which are shown parallel to lot lines, some fifty feet removed, may be intended to coincide. But if this is the intent, coincidence would usually be impossible since the terrain is irregular and the lot lines are straight. Curves in road alignments would be required where necessary to achieve practical grades.

As shown on the plat, fourteen of the twenty-four lots would be bisected or tricected by access roads. The easements necessary for these roads would sever the lots traversed, fragmenting areas in single ownership.

There is no indication that estimates have been made of the actual lot areas which would remain unencumbered by easements. The roads are designated as private but they would not be owned by the owners of the lots they cross. These owners would be denied a private use of the area of the easement. In effect, this reduces the sizes of the fourteen affected lots.

The easement for the PP&L power lines nicks or bisects five lots. The legality of ignoring the area of this easement in estimates of lot sizes comes into question. This is not a local service line. The right-of-way is periodically cleared of growth and access to the line is required at all times. The owner of a lot traversed by the power line easement does not own, and cannot use, the area it occupies in any usual sense.

Note 4 on the plat states "Lot sizes indicated are estimates and do not include any Public Road or Railroad area." Since private road rights-of-way and powerline easements are not also listed as exclusions, it may be assumed that they are included in the alleged lot sizes. In the aggregate, the area comprising the various easements is considerable, and if deducted from the total area of unencumbered land, the number of lots meeting minimal area standards would necessarily be reduced.

A subdivision project showing only private access roads raises questions not answered by the plat or the notations on it. Exclusive private roads are a characteristic of Planned Unit Developments. For them, such questions are answered, in Oregon at least, by PUD enabling legislation. The private roads are owned by the corporate entity, along with the continuing responsibility for their maintenance. Characteristic of PUDs is community ownership of open space which results from the clustering of houses and protective regard for natural growth and contours. These, and other PUD advantages, are absent in the Rizor project beyond some financial advantages to the developer.

Out of context of the surrounding landscape, the Rizor tract has no special environmental significance. There are no unique formations or features here. It merges inconcpicuoulsy with an almost unbroken continuum of natural shoreline in the scenic section of the Gorge between Cape Horn and Beacon Rock.

Built upon, the Rizor tract would jump into prominence as viewed from vantage points, present and future, on both sides of the Gorge. Since the land tips up sharply, most of the buildings on it would be thrust into view. By their location in depth, they would telescope into the appearance of buildings close together in a town, particularly as seen from the opposite shore. Planting would not obscure them since growth would interfere with the outward views which would be the reason for their location. This community would become the first highly conspicuous suburbanization in a still pristine section of the western Gorge.

The Rizor tract faces, across the river, a section of the Gorge protected from shore to skyline by state and federal reservations. These, in turn, face the unprotected landscape encompassing the Rizor tract. These reservations have heavy public use. Great numbers travel the shoreline freeway which is considered to be the most scenic segment of the federal trans-continental highway system. Multnomah Falls is visited by more people than visit any other scenic attraction in Oregon; more, in fact, than visit Yosemite National Park. It is the nation's most accessible high waterfall.

The encompassing basin of the falls narrows prospects of the Washington side from the trail to the bridge, and the island shields the lodge area from views of the Rizor tract. However, this tract is clearly visible from the trail to the top of the falls and from the many other popular trails in the area and from the freeway. Where it does, the island only temporarily obscures the Rizor tract. It has diminished in size dramatically since the construction of the dams and the resulting altered regimen of the river, and may disappear entirely within a decade.

The adverse environmental impact of the Rizor project would be lessened by more skillful platting and by reductions in the density of building units. But the elimination of environmental damage would only be achieved by public acquisition of the area as part of a parkland program for the north shore comparable to what has been achieved (though not yet completely) on the south side. The most functional hope of the Rizor suit is that delay in the execution of the project will allow time for consideration of a program for federal involvement in the preservation of the Gorge. The suit draws attention to the inadequacy of local land use planning but it is unlikely that any telling improvement in that process will result.

The private road tactic shortcuts regulations, minimizes surveying and planning costs, and seems to allow higher estimates of lot sizes than actually exist. While this tactic may gain immunity from initial county regulations, the county risks a future responsibility for these roads in the absence of any assured program (as in a PUD) for their future private maintenance.

The pattern of the lot lines on the Rizor plat is even more indifferent to the topography than the pattern of the roads. There is nothing site-specific about the lot plan; it would serve just as well for flat land in a viewless city except for the land-locked lots which would not be allowed. This rudimentary division of land by ruler and compass▶ NORTH-SOUTH EAST-WEST ignores all the precepts of professional land division previously mentioned. Its only advantage is initial economies for the developer, at the cost of later diminished marketability of the subdivision. It avoids the need for surveys required for careful planning or the resulting detailed deed descriptions. Lot lines are simply established and described as parallel, at stated distances, from existing section lines. This type of platting requires about as much skill as dividing a flat cake into rectangular pieces at a church social so that everyone will get about the same amount (smaller pieces for children).

Archaic platting such as this was commonly done in the nineteenth century, even for resort developments on scenic sections of the coast. Engineers (or draftsmen) who need not know the lay of the land, drew grid plans to be imposed equally on flat or rugged places, for buyers who need not worry about access by motor cars for as yet there weren't any. There is less excuse for such primitive planning now.

Skamania County approval of the Rizor plat shines a revealing light on the standards considered acceptable by the county planning staff, planning commission, and county government. It is a chilling preview of the calibre of planning and land useage which will be allowed in this section of the Columbia Gorge.

The county, in approving the Rizor plat, contends that soil tests have determined that septic tanks are feasible for the proposed building sites. Considering the approval of other plat deficiencies, the soil tests are not beyond suspicion. However, the only way to prove this conclusively would be to have alternative tests performed, which is impractical.

Experience with adjoining land of similar formations gives some evidence in contradiction to the county's findings.

The Rizor tract is an eminence, not a valley, and so was dense enough to have survived the scouring which formed the Gorge. Lava, which is characteristic of other such formations, must be the subsurface structure of this area too. Lava is the formation north of my property where some five small houses have been built along the highway.

I do not know the extent of drainage fields for these houses, but I do know that the drainage is not absorbed and contained on their ample sites. The effluents cross the railroad and enter the stream which flows through a flood-plain portion of my land. The detergents in this discharge are sufficient to build up sizeable heads of suds in quiet portions of the streams.

The formations on my land, apart from the flood-plain, are lava (basalt) with little surface soil. This is true of the Swigert-Warren property adjacent to the west, as well as of the properties to the north. It would be surprising to me were this not also true of the Rizor property adjacent to the east except in declevities or the small flood-plain portions.

The portion of the Rizor tract between the railroad and the river is alleged to be independent of the other portions in order to avoid review of the whole under the Shoreline act.

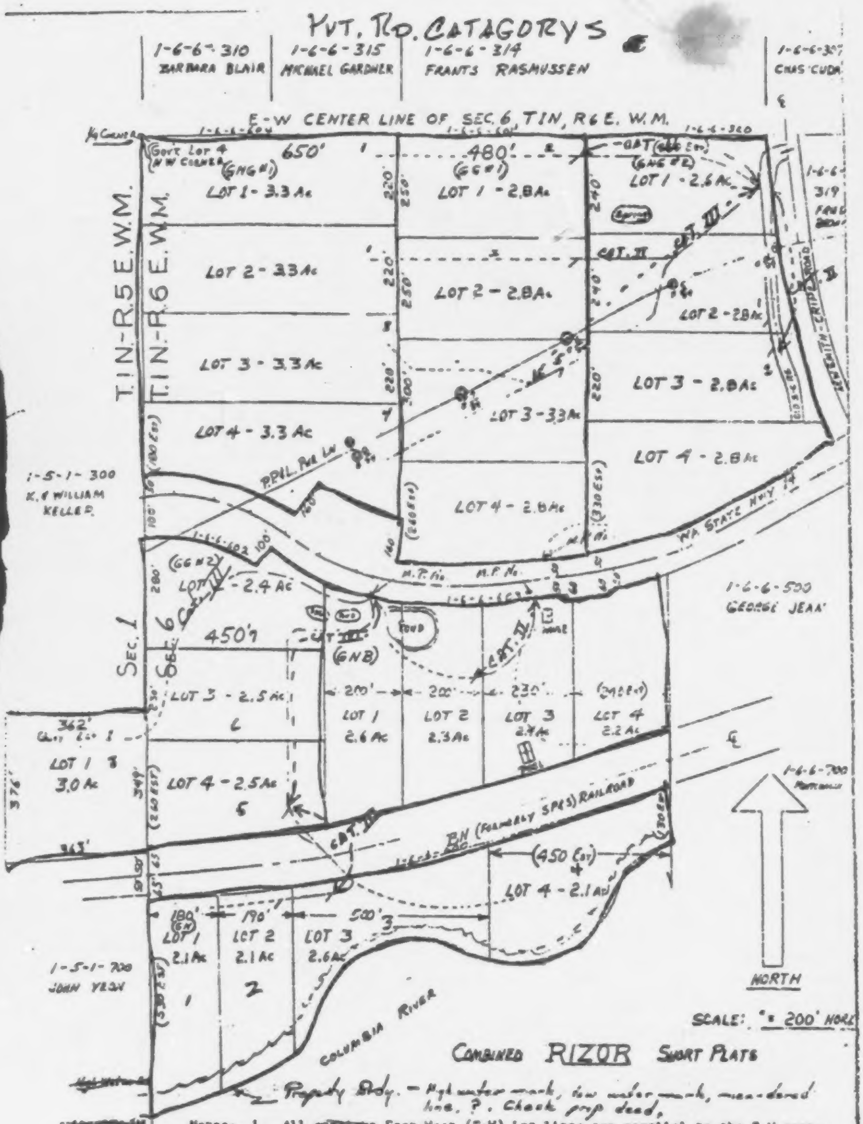
Meanwhile, the only access to the severed tract which is indicated on the plat is via an overpass extension of the road system which serves the portion north of the railroad. This access is vital to the development and use of the severed tract. The access is secure and perpetuated only if easement and maintenance covenants are binding between both tracts. This crucial interdependence shown on the plat contradicts the separate entity contention of the developers.

Possibly it is of no significance that the shoreline contours of the plat do not describe present geography, but there is a considerable discrepancy here.

The plat shows lots 1 and 2 as being deeper than lot 4. The opposite is true. This could result from an error in the original mapping. That error has been magnified by the ongoing erosion of lots 1 and 2 and the western half of lot 3. These are flood-plain formations. Lot 4 is rock and is not eroding.

Lots 1 and 2 cannot be the size noted on the plat; they are smaller by at least a third. They are subject to flooding, and the banks continue to retreat because of erosion. A Chief of The Corps of Engineers once wrote to me that this formation (along with my similar land) would erode back to the railroad track. I have installed revetments along portions of my land to prevent this. None exist along the Rizor shore. Lots 1 and 2, in their present condition, are not safe or practical building sites, and would not be proposed as such by a conscientous developer or approved by an alert planning staff.

The Rizor plat in toto is a sub-amateur platting proposal. Every economy of money or talent is evident in the result. It disregards all usual concerns of good site-development in a raw, unconcealed effort to maximize profits regardless of consequences, and attempts to circumvent legislation which might hinder this goal.


PVT. RD. CATAGORYS
1-6-6-310 BARBARA BLAIR
1-6-6-315 MICHAEL GARDNER
1-6-6-314 FRANTS RASMUSSEN
1-6-6-307 CHAS CUDA
E-W CENTER LINE OF SEC. 6, T1N, R6E. W.M.
T.1N.-R.5E.W.M.
T.1N.-R.6E.W.M.
Govt Lot 4 NW CORNER
650'
480'
LOT 1 - 3.3 Ac
LOT 2 - 3.3 Ac
LOT 3 - 3.3 Ac
LOT 4 - 3.3 Ac
LOT 1 - 2.8 Ac
LOT 2 - 2.8 Ac
LOT 3 - 3.3 Ac
LOT 4 - 2.8 Ac
LOT 1 - 2.6 Ac
LOT 2 - 2.8 Ac
LOT 3 - 2.8 Ac
LOT 4 - 2.8 Ac
CAT. II
CAT. III
WA STATE HWY 14
1-5-1-300 K. & WILLIAM KELLER
1-6-6-500 GEORGE JEAN
SEC. 1
SEC. 6
LOT 1 - 2.4 Ac
450'
LOT 3 - 2.5 Ac
LOT 4 - 2.5 Ac
LOT 1 2.6 Ac
LOT 2 2.3 Ac
LOT 3 2.7 Ac
LOT 4 2.2 Ac
362'
LOT 1 3.0 Ac
BN (FORMERLY SP&S) RAILROAD
1-6-6-700
(450 Est)
LOT 4 - 2.1 Ac
180'
190'
500'
LOT 1 2.1 Ac
LOT 2 2.1 Ac
LOT 3 2.6 Ac
1-5-1-700 JOHN YESN
COLUMBIA RIVER
NORTH
SCALE: "= 200' HORZ
TIDLAND RIGHTS

COMBINED RIZOR SHORT PLATS

Property Bdy. - High water mark, low water mark, meandered line. ? . Check prop deed,

Notes: 1. All ~~straight~~ East-West (E-W) Lot lines are parallel to the E-W center line of Sec 6, T1N, R6E W.M, shown at the North side of the map. All ~~straight~~ North-South (N-S) Lot lines are parallel to the N-S Western boundary of Sec 6, T1N, R6E W.M, shown at the West side of the map. All curved Lot lines correspond to the Public Road or Railroad right of way, or the Columbia River Shoreline.

2. Easements for Telephone, Television, Electricity, Water, Sewer, Fire, Natural Gas, etc, are within the private road or driveway easements, or within 30 feet of Lot boundaries, unless otherwise designated.

3. Symbols: a. ___ ___ ___ centerline of proposed private road with a 60 foot right of way. All private roads will be built in accordance with Skamania County Ordinance No. 1980-03, effective 3/3/80.

b. _ _ _ _ _ centerline of a proposed driveway serving a single Lot.

4. Lot sizes indicated are estimates, and do not include any Public Road or Railroad area.

5. Lots 21, 22, 23, and 24 boardering on the Columbia River are to be deeded all Tideland Rights of the Second Class.

★ - Name all Private Roads

The Gorge Columbian March 13, 1983

Muddling through

The agreement signed last week by Skamania County commissioners regarding the Columbia River Gorge is hardly the "big milestone" Commissioner Ed Callahan described it as being. Instead, it is a red herring, perhaps more like a red whale, undeserving of the signature of county commissioners in Clark and Klickitat counties.

Skamania commissioners, meeting last Tuesday night, objected to three elements of a proposed tri-county agreement for Gorge management. They don't want any reference to state government. They don't want any deadlines imposed on them. They don't want representatives of Oregon residents to sit down at a table with them to discuss common Gorge problems.

They want everybody to leave them alone.

Problem is, the Gorge is such an attraction it refuses to be left alone. As interest rates ease, as more persons cross the I-205 bridge and as more of Clark County gets urbanized, people will look to the east and up the Columbia River for building sites.

Federal legislation proposed by members of the Oregon congressional delegation would not prohibit such development. It would ensure that development does not ruin that which makes the Gorge so attractive.

Yet it is understandable why so many persons oppose federal involvement in Gorge planning. Too often the intent of Congress has been thwarted by overzealous and insensitive government officials.

That is why Clark and Klickitat county commissioners prefer a management agreement that would have provided a minimal measure of local control, but something certainly better than what exists now. Yet even that was too much for two of the three Skamania commissioners.

It is becoming ever so clear that, when it comes to Gorge management, Skamania County commissioners don't want to lead; they want to muddle through.

That's not enough to protect the Gorge.

The Columbian March 9, 1983 COUNTRY

kamania OKs Gorge pact

By JOHN HARRISON
The Columbian

EVENSON — After Tuesday night, the nania County commissioners long may emembered for giving away the Colum- Gorge or saving it for local control.

etractors might say the commissioners' on was so weak that it created a vacuum which the federal government will rush.

upporters might say the commissioners just the opposite and took a first step ward ensuring there always will be a local ice in Gorge land-use decisions.

At the moment, there is a bill in Congress hat would designate the area between Washougal and Maryhill in Klickitat County the Columbia River Gorge Scenic Area. But local officials and many Gorge residents say they want to manage their own affairs rather than answer to the Secretary of Agriculture, who oversees the U.S. Forest Service, which would manage a national scenic area.

Some 150 people attended the commissioners' meeting Tuesday night at the Rock Creek Center, and no one spoke in favor of federal involvement.

After listening to nearly three hours of emotional, often contradictory public testimony, the commissioners approved an abbreviated version of a three-county agreement for land use mangement in the Gorge.

Last month, the commissioners signed a longer version of the one-page document, but then decided to hold Tuesday's hearing before giving the agreement final approval.

Both the original and abbreviated versions of the agreement would bind Skamania, Klickitat and Clark counties to a regional planning and land-use effort.

But the version agreed on Tuesday night lacks specific direction. For example, the original version would have adopted in concept a 1981 report by a committee that studied the Gorge at the request of Gov. John Spellman. Among other things, the committee called for the creation of a regional Gorge commission to coordinate the three-county effort. The original version also called on the counties to establish a timeline for establishing conforming zoning and comprehensive plans in the three counties, and invited Oregon agencies to become involved in the regional effort.

Those provisions are absent in the abreviated version. Instead, it calls for little more than having the three Washington Gorge ounties work to preserve Gorge scenery and point a group of citizens to coordinate land planning and land management in the [illegible] — two provisions that also were in the l version. The abbreviated version ot include any connection with state ment.

mmissioner Ed Callahan proposed the iated version Tuesday.

is is a big milestone," Callahan said erword.

CHERYL HASELHORST/The Columbian

Skamania commissioners debate Gorge pact before packed house.

Commissioners in Clark and Klickitat counties already have signed the longer version. Now, those commissioners will be asked to sign the shorter version.

"The agreement as we signed it was sort of our bottom line. It should not be a foregone conclusion that we will agree to an abbreviated version, but we'll sure take a look at what they send to us," Clark Commissioner Dave Sturdevant said. Klickitat commission chairman Fred Holly could not be reached today for comment.

Many who want the federal government to keep out of Gorge land-use policy believe a three-county agreement is needed to give direction to the Washington Legislature, which could pass laws establishing strong local authority in the Gorge. Otherwise, they say, the federal government will rush into the so-called governmental vacuum.

"In a controversy like this, you'll get the federal government whether you like it or not if you don't get together," Glen Jorgensen of Vancouver told the commissioners Tuesday night. Jorgensen is a retired U.S. Forest Service employee who was chief of the Gifford Pinchot National Forest from 1957 to 1961.

George DeGroote of Stevenson, a director of a pro-local control group known as the Protect the Gorge Committee, said:

"I urge you to join with our neighboring counties to fashion an agreement. We all know and love this landscape. We want a strong voice in our future."

Others opposed the three-county agreement and said a new one should be negotiated.

"We'd be giving our authority to an appointed government," said Sherry Esch of Carson. "Don't sign our rights away."

Each said she opposed a Gorge bill that had been drafted by state Rep. Dennis Heck, D-Vancouver. The bill was an attempt to put into effect the language in the original version of the three-county agreement,and would have created a Gorge commission with members appointed by Gov. Spellman.

John Fischer of Cook, who quoted from Patrick Henry's famous speech about liberty or death, said he opposed the agreement and urged the commissioners to take a forceful stand.

Callahan, who signed the original version of the agreement last month, said he proposed the abbreviated version in order to give the unincorporated communities in the county a voice in Gorge management.

Commissioner Bill Benson didn't disagree, but he argued that the county should not be tinkering with the wording of the agreement.

"We've been talking this thing to death for three or four years. We have all these vast plans and then they die by the wayside. Unless we get these three counties working together, by God we're laying on our backs and saying, 'come and get us.' Is anyone so afraid of outsiders that they won't sit down and negotiate with them?," Benson asked, his voice rising.

But his argument was for naught. Reluctantly, he voted with Callahan and commissioner Eric Wedin — who did not express feelings one way or the other during the debate — to approve the abreviated agreement.

"It won't cut it," Benson said. " All it says is that the Gorge is a beautiful place and we all like to live here. But I guess a crumb is better than nothing."

Senator HATFIELD. Mr. Jolley.

STATEMENT OF RUSS JOLLEY

Mr. JOLLEY. Thank you, Senator. My name is Russ Jolley. I live in Portland, Oreg.

The Oregon Highway Department recently estimated that an average of 10,000 vehicles per day travel on Interstate 84 in the Columbia Gorge. This is 3.5 million vehicles per year.

It's clear from this that over the years millions of different Americans will experience the dynamic landscape of the gorge. This can be an uplifting and edifying influence in the lives of all these people, or it can be something less.

I believe these citizens have a right to see a gorge which is protected from any further defacement by rock and gravel mining, by transmission lines, by ugly forest practices, housing sprawl, heavy industry, and any other affront to this unmatched landscape.

The general public—local, State, and national—has a legitimate interest in the protection of this national treasure, and a right to a voice in its management. S. 627 will accomplish it.

The Governor's proposal, on the other hand, is well-meaning, but inadequate for the task. Their proposal calls the Gorge one indivisible unit, but at the same time creates a management entity which is essentially divided along State lines and without the Federal leadership needed to get the job done. It is hard for me to believe that a commission divided along State lines could take a unified position affecting the gorge, especially on difficult issues affecting one side or the other. With the built-in veto given to each State's delegation, a common result would be deadlock and inaction.

Areas of national significance, especially those which overlap State boundaries, require Federal leadership, both in planning and in the execution of the plan, if the interests of all the citizens are to be protected. S. 627 provides for this, but the Governors' plan does not.

Thank you.

Senator HATFIELD. Thank you, very much.

That will finish the panels now at this point. I want to express my appreciation to Skip Forbes, who has been the court reporter here today in this hearing; and, to the Bonneville Power Administration for the use of the facilities.

I want to remind everyone at this point again that the record will remain open for 2 weeks, and that statements may be submitted either to my Portland office in the Pioneer courthouse or to the subcommittee in Washington, D.C. If anyone wishes a copy of the record, please sign up in the back of the room, at the table, giving us your name and address.

Well, we have now completed the hearing. We have had 54 witnesses today. I am very grateful to each person here. It has been, I believe, a good hearing. It's been very helpful to me personally. I think it will be very helpful in the matter of the subcommittee's responsibilities on this question.

I'd like to summarize what has come through to me today, at least as I have sat here and listened to all of the testimony. I'm not suggesting that my summary is necessarily a position from which I move, or a final position which will be adopted by the committee; but, merely just to try to summarize all 54 of the witnesses.

There have been some themes, some very strong feelings expressed, and some very definite viewpoints by many people, of coursee. That means that we'll have to draw some conclusions from this composite of testimony.

One of the things that has come through loud and clear, I believe, is that the Columbia River Gorge is tremendously important. It's one of the great resources of the Nation. It's important to those who visit the gorge, but it's just as important to those who live in the gorge. I think this is a point that we all can agree upon. There are those who make their livelihood, and there are those who enjoy the gorge as visitors.

Second, I think that I hear from at least many of the witnesses today that Federal legislation is appropriate to establish a means of insuring that the gorge is managed in some coordinated fashion. I've heard much about this in terms of philosophy today, about ownership, somehow that it's "we" and "they"; in some people's minds that the gorge belongs to either 41,000 people who live there, or that it perhaps belongs to a greater number of people.

Since we have heard some philosophy expressed today, permit me the privilege of expressing a personal philosophy about this question of ownership. I don't believe we own anything. I believe we are but stewards of a great creation. Therefore, when we get to playing games about titles of ownership, we didn't bring it into the world, as someone said, and we're not going to take it with us; but, we cannot divest the Creator of the creation by all kinds of documents and legal games.

So, I think we must understand, if I were to express a philosophy, that everyone has a stewardship responsibility, thereby saying, in effect, that we have a responsibility to administer the land in a way that's going to pass on to generations upon generations.

Now, some people have indicated that they feel a bistate commission would be an effective way of providing an opportunity to conduct this stewardship. Both the Oregon and Washington Governors have reached the conclusion that the Congress, though, will have to even resolve that isue. I think that's significant to point out, that even the Governors' bistate program would require a Federal role in enactment.

I think, third, that whatever our viewpoint is that the Federal Government is inexorably involved in the gorge and its future and management. The Forest Service, as a Federal agency, is a major landowner. The Federal Government is a major partner in the development that has occurred along that great river, in the development of the economy of the gorge. It has been so in terms of the dams, the power systems, the navigation, the locks, the port developments; and, the Federal Government is today.

I know that there are many today who also expressed the concern of "federalization," which I would interpret to mean Federal control. Certainly legislation for the management of the gorge must recognize the rights of the individuals, the rights of the inhabitants.

I must also engage in one privilege in making this observation:

I'm deeply concerned that there is a growing sentiment that was expressed here, and elsewhere on other issues, of "we" and "they." Somehow the Federal Government takes on the character of some impersonal enemy of the people. Yet, we are the Federal Government. The Federal Government is nothing more than a collection of the people of this country.

I'm also understood to note that some of the voices that I hear about keeping the Federal Government out communicate frequently with my office, asking for the Federal Government's resources to come into the gorge, to be helpful in the port developments, to be helpful in creating a great waterway by removing that bottleneck at the locks, that which constitutes the great bottleneck of the river, the old locks of Bonneville Dam. I've had people say they need ramps to and from their communities improved by the Federal Government from the Interstate Highway System.

I don't think it really is in the best interests of either ourselves personally, or of the Nation as a whole, or our communities to isolate the Federal Government as an enemy of the people. I know that is not the meaning or the intent of many of those who testified today. I understand what they're saying. I have shared those same concerns about the centralization of political power in Washington, when many of those responsibilities of power should be exercised at the local level. There has been a tendency over the 200 years of the Republic to centralize too much political power in Washington. But, at the same time, I must state very clearly that it is not a matter of "we" and "they."

The question before the committee, as I see it, and before all of us, is how do we insure that the treasures and the magnificence of this gorge will be protected, as well as the people who live and work in the gorge and their rights protected.

You know, I lived in Newport for a number of years. I would come home, as I come home every month to make a report to the people, but I only got to Newport about twice a year. I could see the magnificent Yaquina Head from my living room window. I noted from time to time that it seemed to take a different shape, or it was moving and progressing in being reshaped. I couldn't understand what was happening until I drove over there one day and I found that a rock quarry operation was gradually but certainly, positively, and inexorably moving toward the utter and complete destruction of the Yaquina Head—one of the most unique geological parts of our entire western coast of the United States.

I raised the question why are we destroying this unique, great part of creation. The answer was it makes money. Interestingly, the State of Oregon Highway Department was the biggest customer of buying that rock that was going to utterly and completely destroy that head as it was moving in that direction.

I wanted to preserve that. But, I did not believe in confiscation. So, the Federal Government is now completing the purchase of Yaquina Head, and it will be preserved.

So, I cannot accept those who say "leave us alone, for the simple fact is we will run it as we wish." I have seen other examples of how economics have motivated people to destroy. I wonder what would happen if we discovered gold on Crown Point?

Senator Packwood and I have proposed one approach. The Governors of the two States have reached an historic agreement which deserves careful consideration, as well. I welcome the momentum this hearing today has given to this issue.

I want to assure everyone that I feel I have a responsibility to each person here, a responsibility to protect the existing rights of the people living and working in the gorge, and at the same time I have a responsibility to my children, to your children, and to our grandchildren, and to others to be able to enjoy the same beauty of the gorge that we have.

I believe that legislation can, if we come together in mutual interest and mutual objective, find some kind of resolution. That will be my commitment. I don't believe anybody is going to rush anything through the Congress. Let me assure you that with the great, traumatic issues that we face today, both nationally and internationally, it's very difficult to get a regional or local issue even on the agenda and on the calendar.

But, I do want to assure all of you that my purpose was to set up this hearing today to hear from you. I did not ask questions but only of the Governor or one other person, because I think that so many times hearings end up only listening to the politicians; and, I wanted to indicate to you today my concern and deep commitment to hear from you.

We've heard from all sides of the issue. I don't believe any side has been left unheard today. I only wish we had many more hours so that we could have taken care of many more who made requests to be witnesses here today. But, within the constraints of time, I think 54 witnesses have been very helpful and cooperative in not only giving their testimony, but giving me a great assist in trying to give leadership to resolve this issue and to settle the question.

I want to thank you all again. The committee hearing is adjourned.

[Whereupon, at 4 p.m., the subcommittee was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

CLARK-SKAMANIA FLYFISHERS
Save A Natural Resourse Release All Wild Fish
CLARK • SKAMANIA FLYFISHERS
P.O. BOX 644
VANCOUVER, WA 98666

March 15, 1983

Senator Mark Hatfield
Attention: Tom Imeson
114 Pioneer Courthouse
Portland, OR 97204

Dear Senator Hatfield:

I had intended to testify for the Clark-Skamania Flyfishers at the Senate Hearing to be held on the 25th of March, but due to a conflict with a Wild Fish Conference concerning Olympic National Park management decisions I will be unable to attend the Columbia Gorge Management Hearing as planned.

However, the Clark-Skamania Flyfishers would like to go on record as supportive of a Columbia River Gorge management decision that would offer the best possible habitat protection for wild spawning salmonids of all species native to the area--chinook, coho, and possibly some chum salmon as well as steelhead and sea-run cutthroat trout (including resident populations of both of the latter).

Our 60 member organization relies heavily on the Columbia River Gorge and tributaries to provide angling recreation, and it was one of the key formative designs of our organization to do as much in our power as possible to enhance and protect local (Clark-Skamania Counties) fisheries as well as use them for our recreation. Some of our projects include: Removal of a major logjam on Trout Creek (a Wind River tributary), a supportive campaign backing the Wash. Dept. of Game's decision to manage Wind River entirely for wild spawning summer run steelhead (a campaign initiated by our organization that showed a Northwest regional support from a wide diversity of sportsmen and organizations), removal of a major logjam on Cougar Creek (a Lewis River tributary), regular spawning and juvenile counts on the Washougal, East Fork Lewis, and Wind Rivers to help the Wash. Dept. of Game in stream classification (to date data we provided was instrumental in denying recreational mining permits on two Washougal River tributaries), active involvement in the Northwest Power Council process of drafting a Columbia River Fish and Wildlife Plan (a giving of slide programs to other organizations throughout the region explaining fishery problems that must be met on the Columbia River, as well as giving Hearing testimonials), taking part in an artificial spawning redd program with Wash. Dept. of Game on the East Fork Lewis River, and most recently by filing an Intervention through FERC to deny (or assure fish protection) in the low-head hydro application by C & S Group for Panther Creek (the major spawning tributary for summer run steelhead on Wind River).

MEMBER CLUB OF THE FEDERATION OF FLY FISHERMEN

Regarding our FERC Intervention on the Panter Creek application we feel it must be noted that "C" of C & S Group (the applying party for a low-head hydro permit--Project No. 6771--on Panther Creek) stands for Mr. Ed Callahan--the Skamania County Commissioner who has been so opposed to any form of Federal or State jurisdiction in Columbia River Gorge management decisions. Mr. Callahan was likewise vocally opposed to the Wash. Dept. of Game's fishery decision to manage Wind River (on which Panther Creek is the major spawning tributary) entirely for wild summer run steelhead. It must be noted that "wild management" is entirely dependant on full utilization of a stream system's healthy and available spawning habitat--a criteria that Wind River fully meets, but would not with the elimination of Panther Creek.

We feel that it's also important to note the importance of keeping small tributaries to the Columbia River within the Gorge Area in full wild salmonid fish production. It's streams such as Lawton Creek, Woodward Creek, Hamilton Creek, Rock Creek, and so on up the Gorge that provide the fiber for historical, and present, salmonid fish stock diversity. These streams' place in wild stock fishery management on the Columbia River is now more important than at any time in history due their being below most of the many dams on the Columbia River system. It is the diverse and varied stocks of salmonids that return to these small streams, as well as the more reknowed large streams, from which future hatchery programs will have to develop to bring back a fish stock diversity to the Columbia River in enhancement plans to be initiated with the implementation of the Northwest Power Act's Fish and Wildlife Plan. Already in recent years the anadromous fish runs to two of these important creeks have been lost due to developments at the west end of the Gorge. Gibbons Creek was made impassable with construction of a dike and culvert system built for the convenience of Camas-Washougal Port expansion rather than for fish passage. Duncan Creek's anadromous fish production was similarly lost by the Skamania Landing development decision to dam the creek in order to provide the more saleable appeal of lake-side residence and recreation. Both Duncan and Gibbons Creeks had important runs of winter steelhead, sea-run cutthroat, and coho salmon--a loss of individual fish stocks that might have been able to provide genetic options for the Columbia River fishery future. Such options are dwindling with each passing year, and once gone are lost for all time--there's simply no duplicating the ten thousand years of specific stock evolution that has genetically adapted to small-but-specific habitats.

In light of the increasing development pressures facing the Columbia River Gorge, and in light of Skamania County Officials' (in particular) disinclination to provide fishery habitat protection guidelines, and in light of increasing low-head hydro interest throughout the region, our organization feels that the only possible method of providing adequate fishery protection in the Columbia River Gorge is through Federal Management by implementing a Wild and Scenic status for major Columbia Gorge tributaries from, and inclussive, the mouths of the Washougal and Sandy Rivers east to Maryhill/Stonehenge and managing the greater Gorge Area (including as much of the entering small tributaries as possible) as a National Scenic Area. Specifically, the Gorge management design we find most relevant to our interests is that outlined by the Columbia Gorge Coalition--with one small, but important, addition: the Washougal River should be included in the Wild and Scenic River list in part or whole (the upper watershed best fitting the definition).

The Clark-Skamania Flyfishers are not outsiders on the Gorge Issue--with several of our members living, and, or owning property, within those areas that we would like to see Federally Managed (my own home would be so included with the Washougal River addition). Virtually all of our membership spends countless hours fishing and doing fishery/stream habitat work on the Gorge tributaries, and certainly our very organization is dependant on the threatened Gorge fisheries. Only a National Scenic tag that includes tributary protection seems capable of ensuring any meaningful fishery promise that would mutually benefit sport, commercial, and tribal user groups on the Columbia River, and while we endorse and accept a mutual, and equal, sharing of the fishery resource with the other user groups we can not and will not accept any further habitat degradations that will further jeopardize this national fishery tragedy that is--THE COLUMBIA RIVER.

Sincerely,

Bill McMillan,
Conservation Chairman of the
Clark-Skamania Flyfishers

c.c.: Senator Henry Jackson
Congressman Don Bonker
Columbia Gorge Coalition

Hydroelectric potential eyed at Panther Creek

By JOHN HARRISON
The Columbian

Skamania County commissioner Ed Callahan and private civil engineer Erling Soli of Gladstone, Ore., have applied for a federal permit to study the potential for a hydroelectric dam on Panther Creek north of Carson.

Callahan said he is involved in the project as a private citizen and not as a representative of Skamania County.

"It seems to me there is a tremendous potential there," Callahan said Monday. "A lot of water goes down that creek."

He said he did not believe there was any conflict of interest in a county commissioner being party to the development of a potential source of public power.

"I'm doing this all on my own time," Callahan said. "I don't use any county materials for my own use."

Callahan and Soli have applied for a study permit from the Federal Energy Regulatory Commission. The permit would allow the men to spend up to 30 months studying the power-generating capability of a dam about six miles up Panther Creek from its confluence with the Wind River. Panther Creek flows into the Wind River [illegible] miles above Carson. The dam would be within the Gifford Pinchot National Forest near Mouse Creek.

Anyone may study the hydroelectric potential of streams within the national forest as long as the proper permits are obtained, Soli said. He works for the firm of Haner Ross & Sporseen Inc., which specializes in hydroelectric engineering.

Soli said an engineer for the Army Corps of Engineers pegged Panther Creek for future hydroelectric development in the late 1940s. The engineer installed equipment that monitored water flow in the creek for nine years until the guage was washed away in a flood in 1954. The records confirmed that the creek had a sufficient flow to drive turbines, Soli said.

The flow of the creek today is about the same as it was then, Soli said.

Callahan and Soli, who applied for the federal permit under the name C&S Group, are proposing a 7-foot-high, 80-foot-long concrete dam that would divert water into a 4,800-foot pipeline leading downstream to a powerhouse containing two 1-megawatt turbine generators. The men believe the powerhouse would produce a flow of 9.2 million kilowatt hours of electricity.

Electricity from the dam would be sold to private or public utilities, Callahan said.

Soli's engineering firm also is working for a Carson man, Charles Molsee, who has proposed a 4-megawatt dam on Panther Creek a few miles downstream from Mouse Creek. Molsee owns the site, which is outside the forest boundary.

Soli said two months remain on the FERC study permit issued for that project, and engineering company is having a hard ti finding a potential customer for electric from the dam. He said it is possible Molsee dam and the Mouse Creek dam co be built as a single power project, if customer could be found and if oth problems are resolved.

"I can't tell you today if the (Mouse Cre site is worth developing," Soli said. "It m very well not be because you'd have to ta the power out of there quite a way."

The Skamania County Public Utility D trict is a potential customer for the powe but is not involved in the project, utili manager William Yee said.

The Panther Creek sites are among ma in Skamania County where small hydroele tric dams could be built, Yee said.

"Most of them never get past the stu stage," he said.

The cost is great compared to the return.

Soli said it would be unlikely th electricity from the dams — if they are bu — would be sold to the Skamania PUD. would cost more than twice as much produce electricity at the dams than the PU could pay for it, Soli said. However, som private utilities such as Pacific Power an Light in Portland or the Washington Wat Power Co. in Spokane, might be intereste he said.

Callahan and Soli estimate they will spe $107,500 studying the Mouse Creek site if th FERC permit is granted.

"If there are environmental problems we'll quit," Callahan said. "If there aren't, we'll go ahead."

A decision on whether to issue the permit won't be made before Jan. 31, the deadline for anyone to file comments, protests or other motions with FERC in Washington, D.C.

Officials of both the state Department of Fisheries and the Forest Service said they are aware of the proposed dam, but have no begun preparing comments.

Paul Ray, chief hydrologist for the Gifford Pinchot forest, said Panther Creek is spawning ground for wild salmon and steelhead.

"Our concern would be with the location of the dam — whether there is any spawning gravel upstream — and with the diversion of water," Ray said. "They would have to maintain an adequate stream flow (for the fish)."

Claude Stoddard, regional habitat biologist in Vancouver for the fisheries department, said his office would work with Callahan and Soli "to study the impact on fish and ways to mitigate that impact" if a permit is issued.

The Forest Service has plans to spend about $31,200 to enhance the fish habitat on Panther Creek and $3,000 for similar work on Mouse Creek.

Flycasters op

Fearing harm to the Wind River's wild steelhead run, th Clark-Skamania Flyfishers hope to thwart a potential hydroelectric dam on Panther Creek north of Carson.

The 60-member club has asked the Federal Energy Regulatory Commission for permission to intervene on an application by Ed Callahan of Home Valley and Erling Soli Gladstone, for a permit to study hydroelectric potential on Panther Creek.

By intervening, the seven-year-old club gets legal standi to participate in FERC proceedings regarding the project, said Dave Gufler, a state Game Department official in Olympia. The club will get copies of correspondence and th right to give testimony at FERC hearings.

It is the first time the group has asked to intervene in a hydroelectric proposal, said Bill McMillan, club conservati chairman. Club members oppose any dams in the Wind Riv drainage on streams used by salmon or steelhead.

Panther Creek is perhaps the most important spawning tributary for native summer steelhead in the Wind River system, he said.

A FERC preliminary permit would allow Soli and Callah to spend up to 30 months studying the power-generating capability of a dam about six miles up Panther Creek. The dam would be within the Gifford Pinchot National Forest n Mouse Creek.

Callahan and Soli, who applied for the federal permit und the name of C&S Group, are proposing a 7-foot-high, 80-foot long concrete dam that would divert water into a 4,800-foot pipeline leading downstream to a powerhouse containing tw 1-megawatt turbine generators. The men believe the powerhouse would produce a flow of 9.2 million kilowatt hours of electricity.

Soli is a private civil engineer; Callahan a Skamania Cour commissioner.

The Game Department is managing the Wind River syste for production of wild steelhead. Hatchery-bred steelhead n longer are released in the watershed. The Clark-Skamania Flyfishers were leading advocates of a wild-steelhead polic for the Wind.

McMillan said Panther Creek's watershed is in good condition, having been spared from extensive logging.

ose Panther C

allen thomas OUTDOORS

The stream has an excellent flow of water all summer, important to wild steelhead survival. Club members, along with the Game Department, Forest Service and Skamania County sportsmen, have planted fertilized steelhead eggs in Panther Creek and removed barriers to fish passage.

A dam on the creek could reduce upstream passage of spawning adult steelhead and downstream movement of young on their way to feed in the ocean, said McMillan.

A dam also might reduce minimum flows needed downstream and cause siltation during construction, he add

If FERC grants the study permit, the flyfishing club wan to be notified anytime work on or near Panther Creek is planned. The club also asks that Callahan and Soli be requir to prepare studies on fish passage, minimum streamflows a compensation for unavoidable fish losses.

Callahan said he does not want to damage the fish runs.

"I'm all in favor of protecting the resource," he said. "I'r fishermen and wouldn't dream of doing anything for person gain that would hurt the resource.

"I think anyone who sees the design of that station will realize its not a detriment to fishing. If it were, we wouldn' go ahead with it."

Callahan promised proper fish passage for both the upstream-bound adults and downstream-headed young.

• • •

FISHING REPORT — Here is what's available from the various sources:

East Fork Lewis — When so few are out fishing, it's a pretty sure sign success is slow. Just four fish were caught at Lucia Falls

Clark County

BOARD OF COUNTY COMMISSIONERS

P.O. Box 5000
Vancouver, Wa. 98668
(206) 699-2232

Vernon Veysey
District 1

David Sturdevant
District 2

John McKibbin
District 3

March 24, 1983

Senator Mark O. Hatfield
Pioneer Courthouse, Suite 114
555 S. W. Yamhill Street
Portland, OR 97204

Re: Position Statement of Clark County, Washington
Board of County Commissioners
Columbia River Gorge

Dear Senator Hatfield:

Over the past five years, the Clark County Board of Commissioners has embarked on an intensive comprehensive planning process. In 1979, the Board adopted a Clark County Comprehensive Plan to guide growth within the County for the next ten years. The Plan is updated every year and will undergo a major revamping during the next two years. During the preparation of this Plan, 8,000 citizens attended meetings on the proposal and 3,000 citizen input documents were received by the County. Important to the County in this process was the preservation of our physical, cultural, and historical features.

The Columbia River Gorge is an important physical asset to Clark County as recognized in our Comprehensive Plan. We have zoned land within the influence of the Columbia River Gorge accordingly. Much of the land is in the 10- or 20-acre minimum Agriculture and Forest categories.

We recognize that Clark County's responsibility extends beyond its own Comprehensive Plan to the many residents that use the Columbia River Gorge for recreational purposes. Clark County is the gateway to the Gorge and the Evergreen State. The growth that will occur in Clark County with the opening of the I-205 Bridge symbolizes a threat to the beauty of the Gorge. The potential for growth will spill-over to Skamania County and pressure for development will increase. Because of these factors, Clark County recognizes the immediate need for action to protect the region's valuable resource in the Columbia River Gorge. Local government must assume an active and strong position in this regional effort.

However, we realize that there is an overriding necessity to coordinate local efforts with the interests of State and Federal agencies which represent intrastate and interstate interests. An attempt to develop a locally initiated regional task force on the part of Washington State counties within the Gorge has failed. That failure, along with no companion initiative on the Oregon side of the River, has stymied local governments in their attempts to guarantee the future of the Gorge.

March 24, 1983
Senator Mark O. Hatfield
Page Two

We have before us now a proposal set forth by the Governors of Oregon and Washington, to create a Bi-State Commission to oversee the future of the Gorge. This proposal also envisions Federal legislation. Senator Hatfield has introduced legislation to empower the National Park Service to assume stewardship of the Gorge. It is our belief that any mechanism that is developed must provide a strong leadership role for local government. The proposal put forth by Governors Spellman and Atiyeh appears to offer that vehicle.

We would encourage the Federal Government to support any Bi-State effort that might occur within the Gorge. For obvious reasons, such as the major landholdings of the Federal Government under the U. S. Forest Service, Federal legislation must address management of those lands. The hydroelectric system is another dramatic example of Federal impact.

We must move together in a coordinated fashion to address the various interests within the Gorge. We believe the proposal as outlined by the Oregon and Washington Governors deserves close examination.

The Board of Commissioners of Clark County is prepared to assume an active role in the Columbia River Gorge management. The vehicle that we as Federal, State, and local governments choose, must address the needs of each level of government to ensure success. Each level of government must resist the temptation to "run the show" and must work as a team. The citizens of our region stand only to benefit by our cooperative effort. Clark County, through the Board of Commissioners, will commit our efforts to Gorge management for future generations.

Respectfully,

CLARK COUNTY BOARD OF COMMISSIONERS

Commissioner Vern Veysey
Chairman

Commissioner Dave Sturdevant

Commissioner John McKibbin

REPUBLICAN
STATE COMMITTEE
OF WASHINGTON

1509 Queen Anne Ave. North
Seattle, Washington 98109
(206) 285-1980

Jennifer B. Dunn
Chairman

SENATE SUB-COMMITTEE ON PUBLIC LANDS AND
RESERVED WATER : MARCH 25, 1983
PORTLAND, OREGON
SENATOR MARK HATFIELD :

WASHINGTON REPUBLICAN STATE CHAIRMAN'S COLUMBIA GORGE TESTIMONY

I thank the Chairman for allowing this testimony to be delivered for me before the hearing record today.

The Columbia Gorge issue involves the clash of many different principles, ideas, values, and perspectives that makes this controversy difficult but not intractable.

As Chairman of the Republican State Committee of Washington, I am compelled to speak in support of two fundamental principles underlying our Party's platform that are integral to an equitable solution to the Gorge controversy. One principle relates to individual rights, the other to effective and representative government.

I realize that many of you often hear testimony that revolves around the pronouncement of principles, and thus occasionally find the enunciation of principles redundent. But the authority you carry here today as lawmakers is derived from principles enshrined in the same Bill of Rights that many people here today believe you are perilously close to infringing upon. Proposing federal legislation to deal with a local matter is not merely unwarranted, but also inadvisable because it would serve to exacerbate this problem, not solve it.

A federal law is a coarse instrument that should not be used to solve a matter where local and state officials, who are closer to the problem and are directly accountable to the people affected by it, show the willingness and perseverence to do so themselves.

With regard to the rights of individuals, our Party fully supports, as the attached resolution supported by citizens in such diverse areas as Port Angeles, Colville, and Bremerton shows, the property rights of the 41,000 people living in the Columbia Gorge area. These rights have unfortunately been regarded by some people as just another competing interest to be measured against other interests. I find this very unfortunate. The right to own and develop property within reasonable limits is nothing less than the exercise of human freedom. Hopefully, whatever level of government ultimately deciding this matter will acknowledge the importance of people's property rights, and hopefully the committee members assembled here today recognize that the imposition of federal control over this region is incompatible with the people's property rights which are supposed to be insured, not usurped by the federal government.

Thank you.

Jennifer B. Dunn

Jennifer B. Dunn
Chairman

REPUBLICAN
STATE COMMITTEE
OF WASHINGTON

1509 Queen Anne Ave. North
Seattle, Washington 98109
(206) 285-1980

Jennifer B. Dunn
Chairman

RESOLUTION

WHEREAS, the Columbia River Gorge is the home of 41,000 Americans who live there by choice and as free citizens, and

WHEREAS, legislative proposals have been made to place the Columbia River Gorge under centralized Federal control, giving the Federal government discretionary authority to condemn or restrict the free use of private property, and

WHEREAS, such restrictions are in conflict with the Washington State Republican Platform, which states that private property rights are to be guaranteed and protected by the government; now,

THEREFORE, BE IT RESOLVED, that the Republican Party of the State of Washington opposes the imposition of any form of Federal control over non-Federal land in the Columbia River Gorge.

TESTIMONY RE: COLUMBIA GORGE LEGISLATION

Before Hearing Conducted
By Senate Committee on
Energy and Natural Resources

March 25, 1983
Portland, Oregon

The Skamania County Women's Republican Club, a member of the Washington Federation of Republican Women and the National Federation of Republican Women, are opposed to Senate Bill #627 creating a National Scenic Area in the Columbia River Gorge. We feel this bill is not consistent with the following basic Republican principals:

1. That good government is based on the individual
2. That the most effective government is government closest to the people
3. That there shall be equal rights, equal justice and equal opportunity for all
4. That sound money management should be our goal

This bill, we feel, violates the right of private ownership, discourages and denies free enterprise, does not provide for equal rights, equal justice and equal opportunity for all, and is not a vehicle for sound money management, and is definately not government closest to the people.

We support the Washington State Republican Committee, who on January 15, 1982 passed the following resolution:

WHEREAS, the Columbia River Gorge is the home of 41,000 Americans who live there by choice and as free citizens, and
WHEREAS, legislative proposals have been made to place the Columbia River Gorge under centralized Federal control, giving the Federal government discretionary authority to condemn or restrict the free use of private property, and

WHEREAS, such restrictions are in conflict with the Washington State Republican platform, which states that private property rights are to be guaranteed and protected by the government; now,

THEREFORE, BE IT RESOLVED, that the Republican Party of the State of Washington opposes the imposition of any form of Federal control over non-Federal land in the Columbia River Gorge.

Ann Christensen

Ann Christensen,
PRESIDENT
Skamania County Women's
Republican Club

TESTIMONY RE: COLUMBIA GORGE LEGISLATION

Before Hearing Conducted
By Senate Committee on
Energy and Natural Resources

March 25, 1983
Portland, Oregon

Attached is a copy of testimony prepared for the Senate hearings scheduled September 10, 1982 which were subsequently cancelled.

We feel that this testimony is still relevant even though the proposed 1983 legislation is now S.B.627 and has a few minor changes.

Therefore we submit for your consideration the testimony prepared by a special committee appointed by the vestry of St. Mark the Evangelist, the Episcopal Church of the Mid-Columbia.

Respectfully submitted,
THE PARISH OF ST MARK THE EVANGELIST

BY:

TESTIMONY RE: COLUMBIA GORGE LEGISLATION

Before Joint Hearing Conducted by Senate SubCommittee on
Public Lands and Reserved Water and the House SubCommittee
on Forests, Family Farms and Energy

September 10, 1982
Hood River Inn
Hood River, Oregon

My name is CRANSON H. FOSBURG and I speak today on behalf of The Parish of St. Mark the Evangelist Church here in Hood River, Oregon.

I have a real problem with most of the findings and a good portion of the purposes of the proposed Columbia Gorge Act (SR2318) and the corresponding House Resolutions.

The first seven paragraphs of Section 2(a) "Findings", are truisms which go without saying. Paragraph (8) of this same section is not true. Existing local and state land use laws, and federal and state use practices within federal and state owned or controlled lands, preclude or severly limit this so-called threat. The stated "uncontrolled development" simply does not exist. The very next paragraph (9) states that

> "existing local, state and federal planning and regulatory authorities lack sufficient resources to provide for growth management..."

This statement flys in the face of the undeniable truth that the mechanics are now in place to adequately control growth on both sides of the Gorge. The only difference is that the proposed Bill precludes any growth and existing laws provide for controlled growth. Given the adequacy of existing laws controlling growth in the Gorge, and the demonstrated inability of the federal government to effectively control the lands now under its' control and ownership, it seems apparent that the Bill is not now necessary nor will it be necessary in the foreseeable future.

Paragraph (10) under Section 2(a) speaks to resolving differences and protecting scenic values within the Gorge area. There is already in place the mechanics to adequately protect scenic and other values in the Gorge. The various states have been and will be protecting these values and have been acting in concert through the Columbia Gorge Commission. In both Oregon and Washington there is a considerable body of land use law which adequately provides for control of growth. The main difference is that local control provides for controlled growth, while the various Gorge bills only recognize no-growth.

SB2318 and the companion House bills should not become law! The purposes of the Act, as listed in Section 2(b) address only scenic, cultural, natural, historical, and archeological resources. The Bill does not recognize the economy of the area except to perpetuate what is here right now. In other words, it is a no-growth bill. The economic rights of the whole citizenry of the Gorge have been ignored. We are being condemned by this Bill to a rural economy, which, at best, is cyclical. This area needs economic diversity. This Bill will preclude diversity through no-growth.

Probably the kindest thing that could happen to the Gorge area would be to have you gentlemen here today let this Bill and the other bills like it, die a natural death in committee.

Respectfully submitted,
THE PARISH OF ST. MARK THE EVANGELIST

BY:

Robert W. Barnes
Rural Landowner

M. P. 50.37L State Road 14
Stevenson, Washington 98648

T E S T I M O N Y

ROBERT BARNES
Rural Landowner

Before

UNITED STATES SENATE
SUB-COMMITTEE ON PUBLIC LANDS AND RESERVED WATER

THE HONORABLE MARK O. HATFIELD
CHAIRMAN

B. P. A. BUILDING
PORTLAND, OREGON

FRIDAY, MARCH 25, 1983

Barnes testimony—Hatfield committee 3/25/83

Thank you for the opportunity to present testimony to this committee. My wife and I are rural landowners in Skamania County, Washington. We actively work to preserve the scenic beauty, cultural heritage and geological treasures of the Columbia River Gorge. We do oppose doing so by taking from residents all their rights of self determination on land use and their right to deed a portion of their property to decendants, if that is their desire.

Introductory remarks for S627 speak to preserving the rights of citizens and to the economic vitality of the area. S627 then goes into great detail, effectively removing both. S627-Sec. 5 establishes a Regional Commission and provides for appointment of members. Clark County, Washington and Multnomah County, Oregon are urban counties. Washington and Oregon governors are elected by urban majorities and their appointees reflect this political fact and the urban view. The three members appointed by the Secretary of Agriculture can be anyone from anywhere, owing political fealty to the Secretary. Of a thirteen member commission, only four members represent local people who have been good stewards for 147 years.

S627-Sec. 11 (b). Residents must seek judicial relief from a federal court in either Tacoma, Washington or District of Columbia. We who are unable to fund an appeal in a distant court are, in fact, denied appeal. A right that cannot be used is a right denied.

It has been claimed that the Columbia River Gorge is threatened by imminent over development. The Lewis and Clarke Expedition found few Indians living in the Gorge, although thousands utilized the salmon resource and many tribes used the Columbia River for water transportation. Since our earliest knowledge there never has been more residents than the economy of the Gorge could support. Two railroads, two highways, three bridges, two dams, one gas line and several electric transmission lines have not changed this fact. That one more bridge at the western portal will change this historical pattern is a figment of imagination. Historical facts point to a slow and gradual growth which the Gorge has experienced for the past 147 years.

The Columbia River Gorge must be protected for posterity. However, the price extracted from residents by voting S627 into law would be both horrendous and counter productive. The record of the federal agencies as "people managers" (and here we have 41,000) is a dismal one of waste, mismanagement and disregard of congressional intent. (source: GAO Reports)

Over the years, local governments have met and are meeting the challenge of preservation and conservation, or there would be nothing left to preserve or conserve after the massive construction projects of both federal and state governments. With minimal help from state government and non-interference from federal government, this challenge can continue to be met.

Thank you

Robert W. Barnes

Blanche Barnes
Rural Landowner

M.P. 50.37L State Road 14
Stevenson, Washington 98648

T E S T I M O N Y

BLANCHE BARNES
Rural Landowner

Before

UNITED STATES SENATE
SUB-COMMITTEE ON PUBLIC LANDS AND RESERVED WATER

And

Presented To

HONORABLE MARK O. HATFIELD
CHAIRMAN

B.P.A. BLD'G Portland, Oregon
Friday March 25 1983

March 25 1983

Senator Hatfield and Committee, the emotional trauma continues with many of us who reside in the Gorge. Our homes and property and our livelihood is at stake in this Gorge controversary.

Senate bill # 627 in the introductory statements mentions that the Vancouver City Council, The Portland City Council and Multnomah County support the Scenic bill. It fails to mention that Camas City Council, as well as Washougal, North Bonneville, Stevenson, Lyle, White Salmon and Bingen City Councils in Washington State oppose the scenic bill. The Dalles, Hood River and Cascade Locks Oregon also oppose it. Senator, these smaller towns are located within the proposed scenic area. These are the people who stand to be hurt- who stand to lose- who do not wish to live under Federal control. Why is the position of these towns not mentioned in the bill?

My husband and I have written approximately three hundred letters to various Legislators through-out the U.S. regarding this issue. Many others have written also.

United States ~~Government~~ General Accounting Office reports that many existing federal parks are not now properly managed. Wouldn't it be reasonable to let we who live here, who love the Gorge and have cared for it these many years, manage it, rather than let it become a haven for back-packers, cyclers, week-enders who care less about upkeep, who deposit their litter, destroy and leave? You understand, I haven't much faith in the manner that our beautiful Columbia River Gorge will be cared for should the Federal Government take over !

The following statement was prepared to be submitted at your September 10 meeting last fall. Since the contents are still pertinent in that Senate bill # 627 practically duplicates Senate bill # 2318 which was introduced last year, I am enclosing it along with my testimony today. I have only changed the date and the meeting place. Please give it reasonable considaration . I appreciate the opportunity to present this testimony today.

Thank You Very Much. Blanche Barnes

Blanche Barnes,

50.37 L. St. Rd. 14
Stevenson, Wash. 98648

September 10 1982

Thank you Senator Hatfield for the opportunity to appear before this Committee today. I am Blanche Barnes from Stevenson, Washington. My husband and I are property owners in the Home Valley area, where we have our home and operate our business.

The introductory statements of the Senate bills speak of the scenic beauty; the spectacular vista of the Gorge. I agree the Columbia River Gorge is truly a "Geological Treasure", with it's unique mountain formations, most not even accessable by car, and it's beautiful water-falls, fed by mountain streams, plus approximately 75 inches of rain each year to keep them free-flowing ; this together, with the winding river, which our home over-looks. Is it any wonder we property owners and others who live here love the Gorge? Our homes are here and our livelihood.

The impact of this Federal threat cannot be measured. The emotional trauma that my husband and I have faced this past year has been almost more than we have been able to endure.

We have already been impacted financially as Senate bill 2318 of the Columbia River Gorge Act of 1982 very clearly states - Section 5 : Management plan under (b) paragraph 9,and I quote "shall allow all existing land-use of specific tracts of land in the area as of July 1 1981 , which are found to be consistant with the purposes of this act", unquote, and my feeling is that any knowledgeable person would have been reluctant to buy, open a business or invest in Gorge holdings lest they be non-compliant should this become a National Scenic Area.

Interum Protection and Management - Section 6 (a)- places a moratorium on new uses in critical lands - (b) "no person may construct or modify any new building or facility or reconstruct or substantially modify any existing building or facility in any portion of the area designed as critical", unquote, Now I ask you Mr. Chairman and Members, how does one know that your land-holdings might not be declared critical especially when one knows as my husband and I know that our property is just a short quarter of a mile from land that has already been declared critical?

Senate bill 2318 of the Columbia Gorge Act of 1982 goes on to say in Section 15: Acquisition Fund (c) Appropriation - quote"There is here-by authorized to be appropriated a sum not to exceed"—— and I find this following line omitted. I take this to mean only one thing, the estimated cost of this Federal take-over cannot be estimated at this time in dollars. But,'in checking out U.S. General Accounting Office reports and other sources, we learn that acquisition cost can increase greatly with the addition of administrative costs, long delays in court, especially when condemnation has been initiated. With our over trillion dollar National debt, and approximately 760 million acres of land already under Federal" control - the greatest portion of this in the western part of the United States and as a tax-payer and property owner most of my life, I ask "Why pass this enormous debt on to our great grand-children and their children ? Surly there must be a stopping place to this"Federal Land- Grab", as they have come to be known.

At retirement age now, my husband and I have been fighting for our"Constitutional Rights"for almost a year and a half . Jurisdiction over our own land is all we ask. A Realtor made the statement at a Real Estate Seminar in'Vancouver not long ago, and I quote "When Government controls one's property, they control one's will", and I feel very much the same. Mr Chairman and Members —this is not Russia !

Thank you

Blanche Barnes

The United States Senate Subcommittee on Public Land and Reserved Water - House Sub-Committee on Forest's Family Farms and Energy

Re: Bill No. 627 being held March 25, 1983
B.P.A. Building Portland, Oregon
Chaired by Sen. Hatfield

The Community of Lyle, Washington hereby expresses our objections and concerns to Bill No. 627 introduced to the United States Congress by Sen. Packwood and Sen. Hatfield.

These Bills are in direct oppostion to our UNALIENABLE RIGHTS granted to us by the CONSTITUTION OF THE UNITED STATES OF AMERICA.

The Declaration of Independence, states "That all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just power from the consent of the governed." We are being told that this act is for our betterment, to govern us by. We have not voted nor have given our consent to this bill.

The community of Lyle, Washington which has (due to arbitrary means) been designated a CRITICAL AREA, for what reasons we are not able to find out.

We feel that with this kind of representation, there is no way that we have any control over the way that our property is to be taken care of.

These bills read for the preservation of the BEAUTY AND GRANDEUR of the Gorge for the tourists. (ARE WE NOT PART OF THE GORGE AS LAND OWNERS?) Or have all our rights been eroded away by those that do not have any property or rights in the Gorge?

It also states that this bill designates or exempts all incorporated towns and cities and all Indian property. It seems that incorporated cities are exempt but not unincorporated cities. The Indians are exempt but not other races that own land in the Gorge.

We are a community of only approximately 400 with nothing but our property involved, but what else can a person value in life? His family is uppermost, but his objective in life is to possess something that he is content with--a home or real estate that he has chosen of his own free will with the bundle of rights that goes along with it.

A large portion of those that are sponsoring these bills are the ones who have profited by living in the metropolitan centers, such as Portland and Vancouver. They have received higher wages and income by living in more populated areas along with a better economic situation, but they also caused pollution to come up the Gorge and many other adverse things to happen in the area, from taking the raw materials of the area out and manufacturing them into finished products which there is no return as such to the area from which it was taken.

We have one of the highest unemployment figures in the State and yet the Bill wants to curb what economic growth that we have.

These bills have money to support them, but where are the funds coming from to support the fight against them? Do they realize the problems or readjusting that people will have, let alone the social problems that the people who have lived here all their lives would have in being transferred to another location? No matter what dollar value they might receive, it would not compensate them for their having to live under a type of law or laws that they have no part of. Electing or discharging rules and regulations will be the responsibility of the Secretary of Agriculture instead of local governments.

5404 Harney St.
Vancouver, WA. 98663
March 24, 1983

Honorable Mark O. Hatfield
United States Senate
Public Lands & Reserved Waters Subcommittee
Washington D. C. 20510

Dear Senator Hatfield,

I oppose S. 627 to establish a national scenic area in the Columbia River Gorge.

My comments are based on 45 years personal knowledge of the Gorge, 4 years as Forest Supervisor of the Gifford Pinchot N.F., and 16 years in a regional management position with the Forest Service, R-6. During my 11 years as Director of Timber Management, the Region developed landscape management guidelines to coordinate management of timber and scenic resources.

It is acknowledged that the Gorge is a scenic and cultural treasure with high natural resource and recreational values. It is also an economic unit as a highway, rail, waterway, and transmission corridor and the homeland for 41,000 people. Although local stewardship of the Gorge has existed for over 11,000 years, time brings change and it is appropriate to strengthen land use planning and resource management in the Gorge.

The scenic resources are not seriously threatened to justify federal intervention at this time. The Oregon side is protected by the combination of extensive national forest ownership and the guidelines of Oregon's Land Conservation & Development Commission. Federal protection proponents' examples of "threats" such as (a) Rizor proposed development (24 home sites on 65 acres), (b) huge shopping centers at west end of Gorge, (c) big real estate developments, (d) I-205 access, etc. are mostly distortion of facts or assumptions of what may happen. I have been travelling through the Gorge for 45 years and the scenic qualities are as good, if not better than ever.

The real question in the Gorge should be the determination of the visual quality level for site specific areas of different sensitivity to scenic deterioration, in order to attain a balance between environmental protection and economic development. "Protect the scenic resource" means different things to different people. To the organized environmentalist it means to leave things natural. To knowledgeable people it means to manage so that mans' activities do not significantly detract from visual quality. Professional landscape architects recognize that there are different visual quality levels of scenery, and different sensitivity levels to potential scenic deterioration from mans' activities. Recognition of these elements can provide decision flexibility by looking at different alternative combinations of visual quality and scenic sensitivity.

The massive physical characteristics and tremendous scenic variety has permitted the Gorge to absorb a great deal of mans' activities without serious scenic damage. Already the Gorge has accomodated freeways, railroads, power dams, transmission lines, timber harvest, etc., and still the Gorge is considered a scenic treasure. We should recognize the opportunities to manage in harmony the resources of the Gorge to produce an optimum of amenity and commodity services for public benefit. To do so requires looking at visual quality alternatives in the planning process. S. 627 precludes doing this, in that a decision is made, without benefit of alternative analysis, to preserve the existing scenery regardless of sensitivity levels, and regardless of impacts on other resources and economic values. Scenery is made the dominant resource for the entire planning area.

This inflexible position is found in the rigid language of Section 2 (b) Purposes. For example, paragraphs (2), (4), (5), and (7) uses terms as: preserving these resources in harmony with existing visual landscape, consistent with the existing scenic and natural character, maintenance of existing rural landscape, and preservation of existing scenic, natural, and cultural values. (Underlining added for emphasis). Such restrictive language mandates preservation of the status quo, and prohibits a plan of positive management to maintain scenic quality consistent with sensitivity levels and other resource and economic values.

Land use planning based on such a narrow directive will certainly result in serious impacts to the economy, resource utilization, development of tourism facilities (tramways), and future improvements of transportation facilities. New hydro electric facilities are prohibited by the Bill. New single family homes outside of communities are prohibited, even though they can be blended into the landscape. Much of the lower bench land in Skamania County is well suited for low density home sites, without detracting from scenic values or the character of the area.

The federal governmeny should only do those things that the people can not do for themselves at the local and state level. Planning and zoning the use of over 200,000 acres of private land is certainly not a federal responsibility. No federal agency is as qualified to plan and zone private land as are the government agencies at local level. The only advantage of federal management is the use of condemnation and decision making authority. Such advantage is seriously tainted by giving soverign efficiency precedence over democracy. It has not been proven that the States of Oregon & Washington can not do an adequate job in managing the multiple resources of the Gorge in harmony with the conservation and enhancement of visual resources.

Enactment of S. 627 will materially increase the cost of managing Gorge resources. The extreme complexity of the proposed process together with an additional layer of government will increase costs at all levels of government. With the federal government $1.2 trillion in debt and facing annual budget deficits in the $200 billion range, Congress should be asking the question - can this national scenic proposal be dropped without material harm to the national interest. The answer is affirmative. Any difference in resulting scenic quality between more flexible regional controls and narrow rigid federal control will be miniscule and not worth the increased cost.

The vast majority of proponents for federal control are from the State of Oregon. Their side of the Gorge is already subject to adequate state and federal control, so they are impatient with progress in Washington State. An organized effort is underway in Washington State to strengthen land use controls in the Gorge. The three involved counties have agreed to cooperate in Gorge planning processes, and to support establishment of a Washington Columbia Gorge Commission with oversight authority. On March 15, Governors Atiyeh and Spellman issued a joint statement supporting the establishment of a single Columbia Gorge Commission as a regional agency with authority to protect the natural, scenic, and cultural resources of the Gorge.

Passage of S. 627 would preempt regional initiative. Congress should table S. 627, and in lieu thereof, consider federal legislation to authorize an interstate compact between Oregon & Washington for a joint regional Columbia Gorge Commission.

I request my statement be included in the Hearing Record.

Sincerely,

C Glen Jorgensen

C. Glen Jorgensen

My name is Doug Prosch I represent Cascade Pomona Grange #43 of Skamania County Washington.

Ladies and Gentlemen; I would like to commend you on the spirit of the language found in Senate Bills 627 ~~2318 and 2319~~, Sections 13 and 11 respectively, and I quote: "Nothing in this act shall be construed to alter, amend, repeal, interpret, modify, or conflict with any treaty OR OTHER RIGHT of an Indian tribe." This is exactly as it should be, however, I could not find any such language concerning a promise of other rights for the rest of the people involved. We the people do have other rights which we believe are unalienable. I would like to call your attention to Senate Bill 627 ~~2318~~, Sec. 2, Paragraph 10, lines 9 thru 13, and I quote: "THE FEDERAL GOVERNMENT MUST FORM A PARTNERSHIP WITH STATE AND LOCAL GOVERNMENTS IN THE COLUMBIA RIVER GORGE, AND FOCUS FINAL DECISIONAL AUTHORITY IN A SINGLE ARBITER." Webster defines the word "arbiter" as follows: 1. One chosen or appointed to judge or decide a disputed issue. 2. One who has the power to judge or ordain at WILL. Quite frankly gentlemen, both definitions scare the "Hell" out of us, and brings to mind the classic words: "He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries. For taking away our charters, abolishing our most valuable laws and altering fundamentally the forms of our government." From this same priceless Declaration of Independence came the answer to correct these wrongs. "That to secure these rights, Governments are instituted among men, deriving their just power from the consent of the governed." The Washington State Constitution states in Article 1: "All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights." Article 2, Section 3 of the same document states "There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor and then only under such other conditions as may be proscribed by a general law applicable to the whole state." We received a 95% affirmative vote in favor of local control in Skamania County, and yet, the arbiter can with dictatorial authority over rule the legal actions of our elected officials at WILL. Our vote then becomes null and void and of no effect.

I have seen men die in two wars for freedom and democratic government. We have sacrificed the lives of over 200,000 Americans in the last 40 years because of our dogmatic belief in the cause for freedom. A meaningful vote is surely part and parcel of that cause.

Are non-residents without vested interest of home and farm, and who will never suffer the effects of the proposed legislation, the governed? Of course not! How can those that are not affected by the law be the governed? The governed will be those who will have to live under the quasi dictatorship of an arbiter.

Our freedom was forged by people clothed in home spun cloth, purchased with the lives of hundreds of thousands in uniform, perpetuated by farmers in overalls, along with millions of other working Americans and is being taken away by the tuxs and gown set.

In addition we have Sect. 3 of Senate Bill ~~2318~~ 627 entitled "Establishment of Area". With all due respect it might very well have been entitled "A Pig In a Poke". The map referred to does not exist. The map shall become a reality after the fact of enactment, per Sec. 3, paragraph 4 of Senate Bill ~~2318~~ 627. We find it incredible that the U. S. Government is going to spend tens of millions of dollars and wrought havoc with the lives and future of thousands of its citizens and not show the specifics in an accurate map.

There are retroactive clauses, all encompassing clauses and even corrective clauses for clerical error -- but a map does not exist that shows the absolute boundaries of critical areas or any other area for that matter. We sincerely believe it is not an unreasonable request to see an exact map NOW. After all - it is our homes, our farms, our dreams and heritage through three and four generations that will be adversely affected. On April the 15th of each year the U. S. Government demands an exact accounting from the citizenary. Is the maker of the law not beholden to it?

The subject Senate Bills just may be legal by the letter of the law, but they miss the Spirit of the law by the width and breadth of this great nation.

Jim Attwell
Stevenson, Wa. 98648

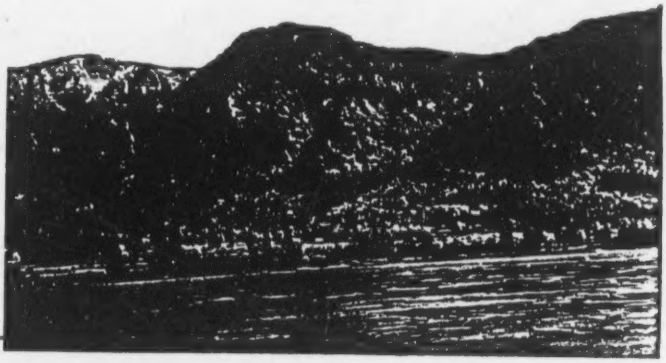
26 July 1982

The Honorable John Spellman
Governor of Washington
Olympia, Wa. 98504

Dear John:

As a former County Commissioner myself, I feel close in sharing views with you over management of the Columbia River Gorge.

The little farm in the picture was pastured and is still the home of sheep and cattle. The barn was built 80 years ago and still looks good. The older man and wife still live in the old well kept home. Their two daughters married and have two neat homes on the olde farm. They are the kind of people who have made the west great. Their clean farm does not distract from the beauty of the Gorge.



But..Nancy Russel with her small group from Portland, Oregon would like to take over.

Let us take a good honest look at the Gorge. "When Saghalie Tyee"- God, the Chief above, the ruler over all, created the Gorge, he left the mountain side so steep and rugged that no coal burning smoke stacked steel mills will ever plan to build a mill upon it's slopes. He then planted Fir trees upon it's sides and later sensible 'palefaces' put these forests and mountains under U.S.Forest Service protection.

Saghalie (Indian) Pronounced 'Sockalie' is being used because the white man was not yet here when the Gorge was being worn down by the river.

Natural Resources and the Forest Services are doing a great job taking care of these forests. No one can cut a tree, start a rock quarry, convert a water flow or start a forest fire with out their permission.

Washington State's Natural Resources have used convicts as crews to fall dead snags and build forest roads. When over ripe timber is cut a new tree from their tree farms replace the cut timber. When a tree becomes fully grown it soon becomes over-ripe and will die. Trees used for lumber, gives us shelter and also money for our roads and schools.

73 % percent of Skamania County is owned by the U.S. Forest Service. What is left of the County is under good State and County control with the exception of the Government power dams and power transmission lines..which we do need.

The highways, guardrails and railroads are also unatural and unsightly..but we need them also. These same nuts that want roads built so they can run freely around the Gorge, also try to shut down the digging of necessary material to build the roads with.

The Forest Service has mountain roads and trails with many camp grounds. Skamania County has 25 parks, one State Park at Beacon Rock takes in 6,000 acres and Hamilton Mt. These same nuts that wish to turn the Gorge into a National Park may never have set a foot into any of these parks, which are not crowded by Portland people.

These National bills would be a death blow to local economy already suffering, and added tax expense to the American taxpayer. Local control as now under the State and Counties for the last 129 years has kept the Gorge so beautiful that these out of state city slickers wish to take over. These bills would be destructive of the authority and tax bases of our local and state governments.

John..we are banking on you to keep it this way. Like we say, "Saghalie created the Gorge so that it will never become over populated with mills and factories;and the palefaces have building codes. Local authority is proud of the way the Gorge looks after 129 years of local control.

My Grandparents on Father's side were the first white couple married in Skamania County in 1853 and I was here before the railroad and automobiles came and outside of the highways and what the Army Engineers have done, I have seen little change. Many of the home built here while I was a boy before roads came in and we traveled by steamboats, these same homes still look good and not a great deal of new homes are added. It will always be a thinly populated area surrounded by trees.

I will always look forward to seeing you again and if you do come down our way again..Please stop in.

Sincerely,

Jim Attwell

To: Senator Mark Hatfield's Hearing - March 25, 1983 Portland, Ore.

We strongly oppose Federal management of the Columbia River Gorge.

The Federal Government and environmentalists taking over huge land areas across our nation, disrupting lives of thousands of people, must stop! And, once under Federal management, these areas are not adequately maintained nor citizen's rights and livelihood protected as promised. Land owners are not adequately compensated .... many still waiting to be paid!

We know what is behind the big push to make the Columbia Gorge a National Scenic Area. Adjacent big cities greedily want to take our land and livelihood for "recreation". Big, outside interests see great tourism potential benefits through National Scenic Area designation, giving the Gorge "national identity" ..... bringing conventions to Portland and Vancouver, setting up these cities as gateways to the Columbia River Gorge. We fear what this "over-tourism" will do .... no longer will the Gorge be recreationally enjoyable as it has been for the people in our surrounding northwest. This would be as undesirable as subdivisions, etc., which we do not want either.

This certainly could not preserve the Gorge "in its pristine state" as the Friends of the Gorge would have everyone believe. Big tourist developments are already being proposed (in full view of everywhere) with "scenic views of the Columbia River and the mountains" by Portland developers, with the approval of The Friends of the Gorge.

You and the rest of these groups have no right to come in here and tell us how to manage our land and/or take it and our livelihood, any more than we have the right to take over your land and tell you how to manage it.

Contrary to what these groups try to claim, what little private land is still left in our county is under all kinds of Federal, State and local regulations and plans. We have kept out undesirable industries and developments, and can continue to do so because we live here, we care and love this area, and intend to keep it that way .... in proper balance ecologically and economically, and without great Federal expenditures.

Let the Federal government do a better job of managing the other places it has taken over and its own affairs before it creates another "mess" here in the Columbia River Gorge.

From a family who has lived here over 60 years and worked hard to keep our land beautiful.

John & Clara Peyrollaz

Mr. and Mrs. John Peyrollaz
P. O. Box 188
Carson, Wash. 98610

Skamania County

Testimony to Senate Committee hearing March 25, 1983 on proposed National Scenic Area in the Columbia River Gorge

The Columbia River Gorge Act of 1982, if passed will be in direct conflict with an Act of Congress dated 120 years ago on May 20, 1862 entitled to "Secure Homesteads to Actual Settlers on Public Domain." Passage of this act opened up the rocky inaccessible wilderness areas of the Gorge land. Ancient storms had left jungles of twisted masses of fallen timber and snags from lightning fires. There were no roads, only the river.

Many of our homesteaders who came to clear this land were from the small Scandinavian countries where land and timber is very precious, They came with their skills, hand axes and saws; rowed across the Columbia river and carried food packs on their backs for many steep-rugged miles to reach their land. As the years passed they built their own roads with pick and shovel. They put out lightning fires to protect what was then the Columbia National Forest. There were no unemployment checks, no pension plans, no social security, no gold watches to compensate for their lifetime of hard labor.

As we carried their worn and spent bodies to the lonely cemetary high on the hill overlooking the gorge we can ask "Why did they have to live a lifetime of hardships?" This new bill will cancel forever the dreams and hopes these dedicated people had for our future generations to continue caring for this forest land as has been done by man and nature for more than 100 years.

Repectfully submitted,

Anna Ott

Anna Ott
Box 27
Carson, Wa. 98610

Orchard View Farms, Inc.
Sweet Cherries, Apples, Apricots, Pears

Office
Tel. 298-4496

Don Bailey
Route 2 Box 118
The Dalles, OR 97058
Tel. 298-1269

Bob Bailey
Route 2 Box 146-A
The Dalles, OR 97058
Tel. 298-1143

Ken Bailey
Route 2 Box 91
The Dalles, OR 97058
Tel. 296-6536

Tom Bailey
Route 2 Box 151
The Dalles, OR 97058
Tel. 298-8470

Jon Bailey
416 East 8th Street
The Dalles, OR 97058
Tel. 296-9322

March 25, 1983

Presentation to the Sub-committee of Public Lands and Reserved Water of the U.S. Senate Energy and Natural Resources Committee.

Subject: Columbia River Gorge Legislation

My name is Bob Bailey, a fruit grower from The Dalles Oregon. I raise apples and sweet cherries on land adjacent to and within the proposed National Scenic Area designation. I support legislation that would designate the Columbia River Gorge a National Scenic Area. The proposed legislation encourages the maintenance of the present industries operating within the gorge, especially agricultural enterprises.

Without some kind of co-ordinated preservation of the scenic and natural wonders of the Columbia River Gorge in time they will be lost. It is said by some that we have done a good job of taking care of the natural assets of the gorge. Man has already left many scars; misplaced buildings, quarries, ill-planned roadways, and unsightly clear cut utility right-of-ways are examples. If we do not take some definitive action there will be deteriation of the gorge to a point none of us could tolerate.

The situation is similar to what happens when a farmer lets a small amount of his soil to be eroded away each year by using careless farming practices. The loss may not be noticable for the farmers entire life, but his heirs and society will eventually feel the loss of the productivity of his farm. All of us who own, operate, or have control of a natural resource have a stewardship

Orchard View Farms, Inc.
Sweet Cherries, Apples, Apricots, Pears

Office
Tel. [illegible]

Dan Bailey
Route 2 Box [illegible]
The Dalles, OR [illegible]
Tel. [illegible]

Bob Bailey
Route 2 Box [illegible]
The Dalles, OR [illegible]
Tel. [illegible]

Ken Bailey
Route 2 Box [illegible]
The Dalles, OR [illegible]
Tel. [illegible]

Tom Bailey
Route 2 Box [illegible]
The Dalles, OR [illegible]
Tel. [illegible]

Jon Bailey
[illegible] Street
The Dalles, OR [illegible]
Tel. [illegible]

responsibility for the resource under our control. We must leave the land or any other natural resource in as good or better condition than when it came under our control.

One agency needs to be made responsible for and made accountable for the carrying out of a Columbia River Gorge management plan. I believe the U. S. Forest Service is the appropriate agency to carry out this task because of its already extensive involvement in the gorge.

The Columbia River Gorge is a National Heritage - I urge the congress to take responsible and immediate action on this important legislation.

Bob Bailey
3325 Dry Hollow Lane
The Dalles, Oregon 97058

UNITED STATES SENATE
SUBCOMMITTEE ON PUBLIC LANDS & RESERVED WATER
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
COLUMBIA RIVER GORGE LEGISLATION
NATIONAL SCENIC AREA

TESTIMONIAL
LARRY MALLOY
EXECUTIVE VICE-PRESIDENT
WORKER-OWNER PLYWOOD ASSOCIATION

My name is Larry Malloy, Executive Vice-President of the Worker-Owner Plywood Association. Today I am representing Linnton Plywood, which is located in Portland, Oregon.

We are opposed to any additional Federal control of the Columbia River Gorge. The Federal Government now has the authority over the dams and National Forest in the Gorge. Having more Federal control of the Gorge would only add to the problem, not solve it. The County Commissioners of Clark, Skamania, and Klickitat are well aware of the beauty and scenic value of the Gorge and have over the years made land-use decisions to protect it. The County Commissioners have within the last few months agreed to work together to protect the scenic value of the Columbia River Gorge.

On March 15, 1983, the two governors of Washington and Oregon held a meeting in Vancouver, Washington, and announced an agreement on a number of principles which they feel should guide the Congress in considering legislation.

With all due respect for the intentions of the Governor of Washington and Governor of Oregon, their proposal only duplicates what is already being done and accomplishes nothing but to create an additional 14 member commission which will cost the taxpayer a lot of money.

The State of Washington and the State of Oregon, in conjunction with local government, can and will protect the Columbia River Gorge without the help of the Federal Government.

Thank you

HOME VALLEY COMMUNITY COUNCIL

March 23, 1983

To: The Honorable Senator Hatfield
Re: Testimony regarding the Columbia River Gorge Act of 1983
From: David L. Teitzel, Chairman, Home Valley Community Council

The citizens of Home Valley through their Community Council would like to thank you for the opportunity to present testimony regarding the Columbia River Gorge Act of 1983.

We are opposed to any federal legislation that takes more control away from the local people of the Gorge. Legislation that would carry with it the right of condeming private property. Legislation that would be enforced by some agency headquartered outside the Columbia River Gorge.

Bill S 628 section 12 Acquisition makes condemnation possible and section 3 Administration puts final authority for administrative decision in the hands of the Secretary of Agriculture and the U.S. Forest Service, both headquartered in Washington D.C. The local people are allowed only to advise not to made decisions affecting their property and way of life.

We feel that the people of Home Valley are stewards of the land. Much of our area is still under the ownership of the decendents of those who homesteaded the land in the 1800's. The land is still today being managed by the same respectful principles as those used by the homesteaders. Animal husbandry, agriculture and timber management continue today as in the 1800's to be the primary use of land in the Home Valley area.

The local people and local control of the Columbia River Gorge have in the past and are continuing to make our portion cleaner, more beautiful and more visitable. The wigwam burner that poluted our air is gone. County land use regulations are enforced.

The gravel pits that faced the Gorge have been closed. Today gravel mining operations exist in Home Valley but mining is accomplished in areas not facing the Gorge by the choice of pit operators not because of legislation.

Bill S 628 section 3 exempts incorporated towns and cities, however, there is no mention of established communities of which there are many in the Gorge.

Any legislation considered should recognize Home Valley as an established community and exempt from regulations similar to Stevenson and North Bonneville. Home Valley was settled in the middle 1800's. A post office was established in 1892. The first church was organized 1880 and services were held in the school house that had been built prior to that time. Through consolidation and reorganization the school, church and post office are no longer located in Home Valley. The reason for the changes were the development of better transportation and the misnomer that bigger is synonymous with better. The people and community, however, are still there working together to insure that Home Valley continues to be more liveable and more beautiful. In 1979 a water district was formed. Through efforts of the local people and cooperation of the county and Federal Government, we now have a modern filtered water system. The Home Valley Community Council was formed in 1980 to act as an unified spokesman for the area. We are recognized as the official voice of the people of Home Valley by our county government. Our charge is to represent the community of Home Valley and their interests. We ask that our community be recognized. The Council would appreciate working with legislators in determining the boundries of Home Valley.

If legislation must be enacted we would only support a governing committee or organization that would have the majority of it's voting members living within the Gorge boundries. The number of members from the six counties must be determined by the amount of new private land that is encompassed not population. An example could be one voting member for each 1,000 acreas of private land included. The legislation must protect the land so the owners of the land must be represented.

The Government already owns 60% of the land area of the Gorge. Home Valley has given a large portion that is now covered by the lake behind Bonneville Dam. Wide paths cross our area that bear only large unsightly transmission towers. A substantial portion of the Columbia waterfront, where the government promised a park for all to enjoy in exchange for flooding the valley continues to grow into brush, evergreen briars and weeds since it was taken by the condemnation in 1969.

Senator, we in Home Valley have seen first hand what the government has done for the Gorge. We feel in the name of progress we have given enough to our fellow citizens already. How much more must be taken of our rights and property to satisfy the lust of a vocal minority?

As stewards of the land, we will accept our charge and continue to take care of that of which we are entrusted.

LAW OFFICES OF
KOHLHOFF & MOEN
FORUM WEST BUILDING SUITE 1
P. O. BOX 706-9475 S.W. WILSONVILLE ROAD
WILSONVILLE, OREGON 97070
TELEPHONE (503) 682-3955

MICHAEL E. KOHLHOFF
STEPHEN A. MOEN
BETH ELLEN MARKS

April 12, 1983

The Honorable Mark Hatfield
United States Senator
Energy & Natural Resources Committee
United States Senate
Washington, D. C. 20510

Dear Senator Hatfield:

The Columbia Gorge is one of our nation's most impressive scenic assets. It would be tragic indeed if the Gorge were not protected from development.

I strongly support the creation of a Columbia Gorge National Scenic Area and urge you to continue your support of that Scenic Area.

Sincerely yours,

KOHLHOFF & MOEN

Stephen A. Moen

Stephen A. Moen

SAM:jam

PLEASE INCLUDE THE ABOVE IN THE OFFICIAL HEARING RECORD FOR THE COLUMBIA GORGE

Mr. Chairman:

I oppose the Columbia Gorge Protection Act of 1982, H.R.6001, H.R.6002, H.R.6026, S.2318, S.2319. This proposed legislation is totally unnecessary -- the Gorge is not threatened with rampant development. If the above legislation is adopted it will destroy the rural heritage of the local citizens, it will cause our communities to wither and die, it will void all constitutional rights supposedly accorded all American citizens, it will destroy our right of self-determination, it will destroy the meager employment opportunities that we presently have -- in short it will devastate our lives.

H.R.6001, Section 2; S.2318, Section 2 states that the Gorge has evidenced human habitation for over 11,000 years and that historically, much of the diverse scenic quality of the Gorge has been preserved. Why then do some push for the creation of a NSA? At what point during those 11,000 years did human habitation become undesirable?

S.2318, Section 2, paragraph 8; H.R.6001, Section 2, paragraph 7, states that the Gorge is threatened by rapid population growth and uncontrolled development. Since 1935 Skamania Co. (my home and one of the 6 counties affected by the proposed NSA) has had a population increase of approximately 55% -- about 62 people per year! From January 1, 1982 through July 31, 1982 Skamania Co. issued 27 residential building permits. That covers the entire acreage within Skamania Co. with the exception of the city limits of North Bonneville and Stevenson. THAT IS CERTAINLY NOT RAPID POPULATION GROWTH NOR IS IT UNCONTROLLED DEVELOPMENT.

Can the proponents of federalization provide verification of any damage inflicted upon the Gorge by the local people? No they cannot! But there is evidence that past federalization projects were dismal failures.

The 8/11/81 issue of the Oregonian (Portland, Or. paper) contained an article on the Crater Lake Lodge. It stated that the U.S. District Court declared the Park Service negligent in its management of Crater Lake Lodge and awarded $1,082,205 to the plaintiff.

The 3/14/82 issue of the Oregonian contained an article stating that the national parks and forests in Ca. & Or. have become a refuge for criminals. The cause was believed to be mismanagement at the Interior Department and low budgets for maintenance. Low budgets for maintenance and mismanagement.

H.R.6001, Section 14, paragraph c; S.2318, Section 14, paragraph a, allows the Secretary of Agriculture to appropriate as much money as needed to fund the NSA. How can one justify the expenditure of hundreds of millions of dollars for a new federal park when existing federal holdings are not properly maintained?

The American people are facing a severe recession. How are you going to explain to your constituents that you support legislation that will cost them hundreds of millions of dollars? Many of them are presently unemployed and face a bleak future. I suggest that you turn your attention to something worthwhile - balance our budget and put people back to work.

Let the people of the Columbia River Gorge continue to protect and preserve the land that they own and cherish. The carefully managed forests, the warm rural lifestyle, the abundant parks free to the public, and the rapidly growing wildlife population testify to the fact that we have sucessfully preserved this land in the past and will continue to do so.

3/24/83 Do My Inability To Obtain a Copy of S.627 I had to refer to the 1982 Bill.

Delores Garrett
St. Rt. Box 130
[illegible]

Mr. Chairman:

Re: Proposed National Scenic Area in the Columbia River Gorge.

As I read and study the bills creating a NSA in the Columbia River Gorge (H.R.6001, H.R.6002, H.R.6026, S.2318, S.2319) I find that I have many objections to this legislation. They all claim to provide a partnership of federal, state and local authorities. That is absolutely false.

The people of the Gorge will lose their self-determination. The bills give full authority to the Secretary of Agriculture. S.2318, Section 4, paragraph a, unit 1 states that the area shall be administered by the Secretary acting through the U.S. Forest Service. The local people will have absolutely no input.

S.2318, Section 2, unit b purposes, paragraph 7; H.R.6001, Section 2, unit b purposes, paragraph 7 states that houses will only be allowed when consistent with the preservation of existing scenic, natural & cultural values. That statement contains absolutely no balance. What it means is that there will be no homes, no farms, no communities.

The Secretary has the authority to determine whose land shall be condemned and acquired. If you decide to appeal that decision guess who you make that appeal to -- the Secretary of Agriculture. S.2318, Section 5, paragraph f Requests for Amendment or Variance, H.R.6001, Section 8 paragraph b.

S.2318, Section 5, paragraph a; H.R.6001, Section 6, paragraph a shows the true motive behind the entire legislation. It states that public meetings will be held to inform, the residents and various agencies of the NSA act and of the management plan. The people will have absolutely no voice.

I strongly object to the creation of a NSA in the Columbia River Gorge. I SUPPORT THE CONTINUATION OF LOCAL CONTROL.

Orin G. Barnett
Underwood Wn.
98651

P.S. I served for 2½ years during World War II thinking that I could come home and control my own destiny.

3/24/83 Do to my inability to obtain a copy of S.627 I had to use the Columbia Gorge Protection Act of 82. But they both do the same thing - create a NSA.

PORT OF SKAMANIA COUNTY
P. O. Box 413
STEVENSON, WASHINGTON 98648

Larry Hendrickson
Manager

Phone 509 427-5484

[illegible] 4:46 April 18, 1983

The Honorable Malcolm Wallop
Senate Office Building
Washington, D. C. 20510

Dear Senator Wallop:

I have enclosed a copy of the testimony for the Hatfield Hearings on Columbia Gorge legislation given by Eldon Sams, President of the Port Commission.

I would also like to point out some additional facts on the status of the economy of Skamania County. The January, 1983 unemployment rate was 33.1%. In September, 1979 there were 3,621 employed persons in the county. In September, 1982 that figure had fallen to 1,973. Total wages paid in Skamania County in 1980 were $74.3 million. That figure had fallen to $32.5 million for 1982.

The value of timber sold from the Gifford Pinchot National Forest decreased 81% from $148 million in 1979 to $28 million in 1982. The value of the timber cut went from $58 million to $20 million, a decrease of 66%. The average price per thousand board feet in 1979 was $282. In 1982 the price was $66. This is a decrease of 77%.

These figures show that we have serious problems in Skamania County. Federal legislation to turn this into a National Scenic Area or "Park" will not benefit the residents of Skamania County in any material way. We need industrial jobs so our tax base can be expanded.

I know that you will recognize the fallacy in the statement "Tourism will be the economic salvation of the Gorge." I hope that you will be able to assist the 41,000 residents of the Gorge in defeating any legislation federalizing the Columbia River Gorge.

Sincerely,

Larry

Larry Hendrickson, Manager
PORT OF SKAMANIA COUNTY

LH:sy
enc.

PORT OF SKAMANIA COUNTY
P. O. Box 413
STEVENSON, WASHINGTON 98648

Larry Hendrickson
Manager

Phone 509 427-5484

March 24, 1983

The Honorable Mark O. Hatfield
114 Pioneer Courthouse
Portland, OR 97204

Dear Senator Hatfield:

My name is Eldon Sams and I am President of the Board of Commissioners of the Port of Skamania County. The Port of Skamania County represents the population areas of Stevenson, North Bonneville, Carson, Home Valley and Skamania. I am convinced that well over 90% of the residents of these areas and, in fact, over 90% of the 41,000 people who live in the Gorge are opposed to Federal intervention in land use regulations for the Gorge. I draw this conclusion from the numerous polls and votes that have been held in the Gorge. I also believe that the majority of the residents of the Pacific Northwest, when told the whole story about Federal intervention in the Gorge, would be opposed to this proposed legislation.

The Friends of the Gorge do not tell the whole story. Many times they have been quoted as saying that the Port of Skamania County has developed lands in the Gorge that degrade the visual quality of the Gorge. In the next breath they state that all activities that take place within the incorporated city limits of the existing cities are acceptable activities. The simple truth is, Senator, that all developable property owned by the Port of Skamania County which is located in the scenic area of the Gorge is within the incorporated limits of Stevenson and North Bonneville.

Economic development is a vital concern to the Port, and this concern involves both industrial/commercial development and tourism. I'm sure you are aware that we operate within the guidelines of the Skamania County Comprehensive Scheme, the Washington State Shoreline's Management Act, the State Environmental Protection Act, as well as our own Comprehensive Scheme of Development and Land Standards. These restraints insure that any type of development within our District will be conducted with a maximum enhancement of the livability of the Gorge uppermost in our plans. It is also imperative for you to realize that, even if these guidelines were not already available to us, the individual members of the Port District as well as staff have always held the extreme beauty and uniqueness of the Gorge as a sacred trust which shall not be violated.

Tourism became a familiar partner in our development plans when the Beacon Rock Golf Course was constructed by an interested group of volunteers on port property at North Bonneville in 1970. The co-ownership of the *COLUMBIA SIGHTSEER* tourboat with the Port of Cascade Locks, Oregon in 1976 and the sternwheeler which is currently under construction insure that the District will take an active part in tourism development in the county.

However, Senator Hatfield, because of the severity of weather within the Gorge, tourism is, at best, a five to six month industry for our county. Our current unemployment rate of 33% makes it imperative that we do all we can to broaden our industrial base. We feel that the creation of a National Scenic Area for the Columbia River Gorge will severely limit our ability for creative efforts to secure compatible industries for our District. The rules and regulations already in place have served in the past to insure maximum aesthetic results from our industrial parks in Stevenson and North Bonneville.

The recently announced agreement between the Governors of Washington and Oregon is, at first glance, a workable agreement. I believe that with further study and refinement, a workable plan for development and protection of the Gorge will come out of this group.

The recent one-sided hearing conducted by Senator Packwood in Hood River was supposed to address the economic impact of federal intervention in the Gorge. Instead, it was a sounding board for the Friends of the Gorge. If the bill sponsored by Senator Packwood would become law and was implemented, it would mean an economic catastrophe in the Gorge. Is the Federal Government ready and able to subsidize the economic well-being of 41,000 people? I think not. I encourage you, as I am encouraging the other members of the Pacific Northwest Congressional Delegation, to do everything in your power to stop Federal legislation for the Gorge and to support the goals introduced by the Governors of Washington and Oregon.

Sincerely,

Eldon C. Sams, President
PORT OF SKAMANIA COUNTY

ECS:sy

MAR 28 1983

March 23, 1983

The Honorable Mark O. Hatfield
114 Pioneer Courthouse
Portland, OR 97204

Dear Senator Hatfield:

My name is Esson H. Smith. I reside in Stevenson, Skamania County, Washington, United States of America. My interest in the Columbia River Gorge legislation is that there is too much government in everything we do. The right of individual initiative is taken away because of having to ask someone if we can do what we want to do.

I, too, want to protect the Columbia River Gorge. I am not convinced that the Federal government is the one to do it. If Yosemite Park is an example of how the Federal government takes care of an area, then I want no part of it. If the Forest Service uses their tactics, the Gorge will be locked up lock, stock and barrel. You can drive anywhere along a National Forest and find signs reading "U. S. National Forest - KEEP OUT!" Is it the intent of this bill to lock up the Gorge?

Senator Packwood's Bill, S-627, does the following things:

> Section 3-c extends the U. S. Forest Service lines to the Columbia River on both sides of the river. This, in effect, makes individual property owners, including state properties, inholders subject to Federal legislation.
>
> Section 4-1 gives the Secretary of Agriculture, an appointed Federal employee, total say over 41,000 people who live along the Columbia River.
>
> Section 4-b,c,d & e provides for a 13 member commission who would advise the Secretary. However, he does not have to comply with the Commission.
>
> Section 6-a provides that no new buildings shall be built pending the adoption of the guidelines.
>
> Section 10-b provides a $10,000 penalty and a one year jail sentence for willful violation.
>
> Section 9-a provides for counties to join in enforcing the Federal legislation. If they don't, the Government will do it for them. A "Do it or else" if I ever saw one.

Section 2-f provides for the Secretary to condemn my land and sell it to another individual.

To do what S-627 is designed to do by the "Friends of the Gorge" to do we estimate will cost in excess of One Billion Dollars. This is to satisfy the whims of a few Oregonians who do not like Washington State Law and who think we might damage our property. This would certainly be a waste of taxpayer monies. If this Bill is passed, we will be ruled and directed by Nancy Russell and the "Friends." The Secretary of Agriculture will not come to Skamania County to see what we want. The Secretary will get all of his information from these so-called "Friends" the same as the Oregon Congressional Delegation got their information in the first place. Apparently, the "Friends" know the right people, have the money and know where to spend it. This issue should not be decided by who has the most money or by where the most votes are.

Senator Hatfield, you know as well as I do that the "Friends" are not interested in the scenery. They are interested in development. They want a direct handle on hotels, resorts, restaurants, etc. which will attract the tourists. They designed SB-2318 introduced last year and included in S-627 a clause whereby the Secretary can condemn property and then sell it to others. With that much power, it will be easy to get control of the best property for their needs. I am sure that this is the reasoning behind all of this action and they are using the Federal Government to do it.

If this legislation is passed it will create a Socialist State of the Columbia River Gorge Area. To controlthe land is to control the people. If an appointed committee is given the authority to decide the destiny of 41,000 people, that is Socialism.

If it is the intent of yourself and Senator Packwood to create a Socialist State, then you are on the right track. I, personally, do not relish the idea of being a Second Class Citizen living in a Socialistic area. I, therefore, am against any and all legislation that will put me in that position. I would like to live out my life as an American citizen living under the laws of the State of Washington.

Senator Hatfield, if this Bill is passed and condemnation procedures are exercised, someone is going to get hurt. There are a great many irate property owners in this county, and someone might not control their temper when, and if, they are kicked off their land. This will be too bad because the ones who will get hurt will not be the ones who caused the trouble in the first place.

By the way, Senator. I have been a Republican for fifty years. Since when did the Republican Party become Socialists? Abraham Lincoln would turn over in his grave if he knew of this latest turnaround.

I have enclosed copies of opinions expressed by others who also wish to retain local control over the Columbia River Gorge. I sincerely hope that you will give them your earnest attention.

Sincerely,

Esson H. Smith

Esson H. Smith
P. O. Box 372
Stevenson, WA 98648

encs.

Sunday, April 27, 1980
Vancouver, Wash.
The COLUMBIAN 25

Point of View

Gorge values preserved under present management

c. glen jorgenson

It is clear to me that the Friends of the Earth and their local pawns are grossly distorting the facts when they say that the scenic beauty of the Columbia River gorge is in imminent danger. Their propaganda attempts to portray a scenario that locally nothing has been done to protect the scenery in the gorge, and immediate action must be taken to have the Park Service regulate the management of the gorge's resources.

To illustrate the fallacy of such propaganda, one only needs to reflect on the fact there exist some 10 state parks, six Forest Service campgrounds and special interest areas (such as Multnomah Falls), numerous highway rest and wayside stops, several fish hatcheries, and two Corps of Engineers Visitor Information Centers in the gorge. The Mount Hood National Forest has an active land acquisition plan. They have acquired 1,200 acres of private land, and have current funding to acquire an additional 537 acres. Their composite land ownership plan identifies 1,675 acres of private land that needs to be in public ownership to adequately protect scenic values. In fact, on the Oregon side of the gorge, considering the extensive national forest and state parks ownership of the most scenic lands, and the existence of a strong state land use planning agency (LCDC), the public interest values in the gorge are already adequately protected.

On the Washington side, although there is less public ownership along the river, extensive areas of the scenic backdrop are in the ownership of the Gifford Pinchot National Forest and the Department of Natural Resources. The Gifford Pinchot Forest acquired a private tract for the Pacific Crest Trail trailhead near Dog Mountain. They are in the process of finalizing a composite land ownership plan for the gorge, and they are securing the necessary right of way to connect the Pacific Crest Trail to the Bridge of the Gods.

Neither the Friends of the Earth nor the Park Service Study has made a good case that a problem exists. What are they going to protect the gorge scenic values from? Certainly man and his activities are part of the scenic asset of the gorge. Such things as Crown Point, trains snaking along the river bank, the ribbons of highway carrying man's commerce, the picturesque river barges, the Broughton lumber flume tenaciously hanging on the cliffs, the mighty spillways of the giant dams, the brilliant colors of the shrubs and hardwood trees growing in old timber harvest areas, the farmers' orchards, etc., all add to, rather than detract from, the gorge panorama.

The Park Service alleges that logging under state and federal ownership adversely affects the gorge scenery. They imply that logging should be stopped. If the Park Service planners had consulted with ecologists and forest landscape architects, they would have learned that properly coordinated timber harvest adds variety and color to the scenic vista. An unmanaged forest through natural plant succession progresses towards only one color tone and has little scenic variety.

I have been traveling through the gorge ~~for~~ the past 42 years and have experienced every time-of-day and seasonal variation in the gorge beauty. In that period of time there has been no deterioration trend in scenic quality. If anything the gorge is more scenic and interesting than ever before, in spite of man's land management activities. This fact is understandable when one considers that the gorge is so diverse in topography, geology, and plant associations that it is possible to conduct reasonable land use activities without degrading the scenery.

I suggest The Columbian perform a valuable public service for Southwest Washington citizens by digging out and reporting the facts on the so-called gorge controversy. Answers to the following questions would be a good starting point: Is there a problem? Is the scenic resource of the gorge so sensitive and important to justify exclusion of other resource use? Can acceptable scenic qualities be maintained in harmony with coordinated management of the many other high value resources found in the gorge? What progress has already been made under the existing governmental arrangement? What additional accomplishment need to be achieved? What local remedial action is needed to strengthen the existing government structure? Has the Park Service study included all the logical alternatives? What are the qualifications of the Park Service to regulate the management of an area so rich in agriculture, forestry, fish, wildlife, hydropower, wind power, minerals, recreation, and scenic resources; and a corridor so vital to the Northwest for highway, railroad, power, and navigational transportation?

Local governments in cooperation with the Forest Service, Corps of Engineers, and Fish & Wildlife have managed the gorge for 175 years. Do we now want to pay more taxes and have a new federal agency move in to manage the gorge for us? I say let us first strengthen the existing governmental structure, if found necessary.

C. Glen Jorgensen of 5404 Harney Ave. is a former supervisor of the Gifford Pinchot National Forest and retired from the Forest Service as deputy regional forester for resources.

CAPABLE OF SELF-GOVERNMENT

Cascade Locks

Dear Ed:

This is a letter sent to Oregon Sen. Bob Packwood.

* * * *

Senator Bob Packwood
U. S. Senate
Washington, D.C. 20510

Dear Senator:

A copy of your proposed bill to turn the Columbia River Gorge, where I live, into a vast federal preserve, has been forwarded to me by a friend who lives out-of-state.

It saddens me that you have not seen fit to inform your constituents here of what you had planned, much less ask their opinion of the idea.

Though you have not solicited my opinion, I will tell you what I think of this bill. I think it stinks. I think it is unnecessary, potentially counter-productive, destructive of the authority and tax bases of our local and state governments, a death-blow to a local economy already hard-hit by federal activities and fiscal policies, and an unjustifiable and unconscionable expense to foist upon the American taxpayer at a time when Congress has been handed a clear mandate by the voters to cut, not increase, the size, scope and meddlesomeness of the Federal Government.

I notice that your bill does not specify how much money is going to be allowed to be spent here. I don't see any budget for your "advisory only" Regional Commission, though I am sure they are going to have to have an office and staff somewhere, even if it's in Washington, D.C. I don't see any estimates of the cost for your proposed "interdisciplinary team" to prepare a brand-new management plan to replace the 10 years' worth of comprehensive land-use planning which your bill dismisses as "insufficient".

That "insufficient" effort represents an investment of millions of dollars and countless man-hours on the part of citizen volunteers, and local and state governments on both sides of the river. You are suggesting scrapping it entirely and re-doing the whole job with a paid staff in a matter of months, not years. How much is this going to cost?

Nowhere is there specified any budget for maintenance of the Forest Service's new park, even though many of the Forest Service facilities already in the Gorge are in scandalously poor repair. Nowhere is there any limit proposed on the amount of money which the Forest Service can spend to buy or condemn [illegible]

Instead, I see only a blanket authorization allowing the Forest Service to spend as much as it wants to buy as much private property as it feels is necessary to comply with guidelines which it is to have total authority to set. How many billion dollars is this blank check for, Senator?

It strikes me as the height of irresponsibility to subject the American taxpayer to this kind of financial burden at a time when Medicare, Medicaid, welfare, food stamps, aid to employment and even Social Security are being cut in order to save money. How many Social Security checks could this park of yours buy, Senator? How many food stamps? How many jobs could be created if this money were more responsibly spent?

Worse still, there is no indication that all this money is going to be spent to any demonstrable good purpose. The claims made in your bill that the Columbia Gorge is threatened by "rapid population growth", "uncontrolled development", and other horrors, have all been raised before; to date, they have not been able to be substantiated. Repeating them in an Act of Congress will not make them true, and does Congress little credit.

Your bill is proposing to "save" an environment which is already protected by the most stringent system of land-use planning laws in the nation, freely enacted by the people themselves — laws which the Forest Service itself has admitted have been thoroughly effective in preventing growth and protecting the land from inappropriate uses. "Uncontrolled development" cannot legally happen here.

Far from "lacking resources to provide recreational facilities", the Gorge has the most extensive and best-maintained system of state, county and local parks in the nation — in contrast to the pitifully few, aged, and wretchedly kept up Forest Service facilities, and the Corps of Engineers parks which have been closed this year for lack of funds.

There are no "fifty jurisdictions" here, all working at cross-purposes, as your bill suggests; there are two states with firm and clear authority over their cities, counties and agencies, and one U. S. Government which one hopes is also capable of controlling its agencies. One notes that all the environmental damage which your bill lists as having been done to the Gorge — dams, powerlines, and the Interstate Freeway — was in fact perpetrated by the Federal Government — hardly a good argument for increased Federal control.

And where is that "rapid population growth," Senator? The population of the Gorge is shrinking, and has been for years, thanks to a poor climate, difficult terrain, lack of employment, and the fact that the Federal Government owns damned near all the land here already. The only place in Oregon and Washington with any population growth is the I-5 corridor. Which federal agency would you like to have protect that area?

Senator, this is an inappropriate measure for Congress to be considering at this time. We do not need it; we do not want it. We elected you and your colleagues to represent us, believing in good faith your promises to cut federal spending, reduce the size of the federal bureaucracy, and return government to the American people. This bill does none of those things. I hope you will see fit to withdraw it in the public interest, and the interest of your constituents, who have thus far been quite capable of governing themselves.

Thank you,

JOSEPH T. WRABEK

D8 3M THE SUNDAY OREGONIAN, JANUARY 2, 1983

Retiree recalls Idaho internment, forced emigration to Japan

By JIM KADERA
of The Oregonian staff

Mary Yamasaki retires from the U.S. Forest Service this week with a small bit of compensation from the government that once abandoned her during the injustices of war.

The genial Japanese-American worked 25½ years for the federal government, the last nine as secretary to three different regional foresters.

But, with accumulated sick leave and a 1979 act of Congress, she will receive a civil service retirement pension with 27 years' work credit. Yamasaki was one of the Japanese-Americans sent to World War II detention camps in the Northwest, but her story goes far beyond the nightmare of the camps.

Before the war ended, she found herself forced to live in Japan fleeing bombs dropped by her own U.S. countrymen.

The lesson learned from surviving, she said recently, was to avoid putting off family activities that can be shared today.

"It used to be I would save some things for later. Since then, I just enjoy everything. Why save it for the future when it can be for the family now?" she said.

Yamasaki, 65, was born in Seattle to Japanese parents who were not American citizens, a situation that was to compound her problems during the war.

When the war began, she was in her early 20s. She and her father were in Seattle, while her mother, brother and sister were in Japan. "My parents wanted us to be educated in Japan, but we children didn't like it," she recalled.

Shortly after the Japanese attack of Pearl Harbor, she and her father were interned at the Puyallup Assembly Center for five months, then shipped to a camp in Idaho until September 1943.

One of the worst ordeals in camp, she remembers, was having to wait with a bucket in hand for rations of water. "And the sand kept blowing through the cracks in the barracks. There was no way to keep it out," she said. The lack of privacy and the crude latrines also are clear in her memory.

"We were behind barbed wire, and for a while they had guards in the towers just like at a prison. We were in the desert. Where did they think we would run?" she said.

Staff photo by DANA OLSEN

MARY YAMASAKI

'I protested that I was an American citizen'

Bad became worse when "my name appeared on a list as a possible exchange. I protested that I was an American citizen, but it didn't do any good."

She and her father were taken to New York and put on a Swedish liner for return to Japan in exchange for Americans detained in Japan when the war broke out. During a month-long journey to India, where the exchange was to take place, "there were maggots in the rice we were given as food and everyone got dysentery," she said.

After the formality of lists of names being exchanged in India, a ship of Americans headed for the United States and the other vessel with Yamasaki and other Japanese nationals continued to Japan.

The family shared a bittersweet reunion in Tokyo. "We slept with our clothes on and a back pack with food ready if we had to leave in a hurry," she said.

"When bombs began falling on Tokyo, the women were sent to live in the country. We went to Osaka to stay with friends." But Osaka was no safer.

"One day the sirens went off and I could see these beautiful B-29s going overhead." She and others ran to a school yard where holes had been dug for hiding during a bombing raid.

"Incendiary bombs were everywhere," Yamasaki said. "One woman's hair caught fire when we were running. After the bombing stopped and we came out, we saw people burned to a black crisp and there were bloated bodies of people that must have been boiled to death in ponds."

She had escaped death, but her exile in Japan was far from over. Not until 1947 could she prove that she was a U.S. citizen and that she had a right to be returned to this country.

"My birth certificate was lost until my father finally found it in the bottom of a trunk," she said. But she still needed a witness to her having lived in the United States.

Eventually she saw a U.S. serviceman on the street whom she had met while at the camp in Idaho. He agreed to be her witness. After five years of ordeal and danger, she could return home. Her parents followed later, she said.

Congress in 1960 made Japanese-Americans eligible for civil service retirement credit or accrued leave for time spent in the internment camps. The law was amended in 1979 to include others like Mary Yamasaki who began federal jobs after the war. It will add "a few dollars per month to my pension," she said.

According to the Forest Service, the difference will be about $60 a month.

Before transferring to the Forest Service regional office, Yamasaki worked in an Agricultural Stabilization and Conservation Service office in Portland.

There is an ironic epilogue to her war years. The man she married after returning to the Northwest, Kaz Yamasaki, was a fellow Japanese-American who lived in La Grande, served in the U.S. Army, and received a Purple Heart for injury in action.

You are doing to us what was done to this women 40 years ago

[illegible]

Save the Columbia Gorge from what?

letters

After an absence of nearly 60 years, I returned as a retired university professor in California to the Columbia River Gorge, where I was born and raised as a youth.

I was surprised at how little change had taken place over the more than half a century. In fact, the population had hardly grown, and except for the dam and the power lines, the area was virtually the same as when I left in the 1920s.

After building our retirement home in the Gorge, my wife and I learned to our dismay that there is a movement to "save the Gorge" from the "developers." What developers? And if someone wanted to suddenly "develop" an area that has barely changed through all the years — where were they during the building booms of the past? Why, especially during depressed times, is there a movement that would, in a sense, place our homes under government control? Were such a thing to go through, I couldn't even rebuild my home in case of fire.

I would like to appeal to the Vancouver City Council — or somebody, anybody — to consider the some 40,000 residents of the area, almost all of whom are as alarmed as I about the possibility of condemning the homes of the innocent, by persons who do not even live here.

Oh, me! Would that I had never returned.

Arthur A. Attwell
Skamania Landing Road
Skamania

1983 APR 20 PM 12 03

April 14, 1983

The Honorable Malcolm Wallop
Senate Office Building
Washington, D. C. 20510

Dear Senator Wallop:

Please find enclosed a copy of the testimony I mailed to Senator Hatfield to be used in conjunction with the Senate Hearing on the Columbia River Gorge held at the BPA Building, Portland, Oregon on March 25, 1983.

I hope that you will give my testimony your complete attention and come to realize that Federalization of the Columbia River Gorge is completely unjustified.

Sincerely,

Esson H. Smith
P. O. Box 372
Stevenson, WA 98648

EHS:sy
enc.

OREGON RARE AND ENDANGERED PLANT PROJECT
535 Atwater Road
Lake Oswego, Oregon 97034
(503) 636-4633

March 30, 1983

The Honorable Mark Hatfield
United States Senate
463 Old Senate Building
Washington, D.C. 20510

Re: SB 627

Dear Senator Hatfield:

As you know, I am very concerned about the Columbia River Gorge, and strongly urge it be given National Scenic Area designation as soon as possible, under one Federal agency. Its scenic, natural and recreational values are outstanding and unique, especially so close to a major metropolitan area. It merits our best efforts to protect it now, for all the generations yet to be.

I would also urge that all of the suitable Forest Service lands within the National Scenic Area be designated wilderness areas, not just Eagle Creek. This is especially important if the lead agency is to be the Forest Service rather than the National Park Service, as they are consumers of the resource. There are already timber sales planned within the Gorge viewshed on Forest Service lands. Wilderness designation is the only way I know to protect the significant wild areas on the Oregon face of the Gorge, and to assure that roads and tramways will not be put through prime wildlife habitat under the banner of tourism, without even realizing what we have destroyed. There are very few areas in this country within 30 miles of a major metropolitan area which are still wild enough to support black bear.

I am very glad to see that Critical Areas are identified in both the House and Senate bills. These areas were carefully chosen, with input from many knowledgable people. All of these areas deserve protection and must not be compromised.

The Gorge is also of national significance botanically. I have been inventorying the rare and endangered plants in Oregon for the past nine years, and find that Oregon, with 4000 species of vascular plants, is third in the country in plant diversity (only Texas and California have more), and over 1000 of these, (1 of 4 in Oregon), have now been found in the Gorge by Russ Jolley and Lois Kemp. Of these, 61 are considered to be rare, threatened or endangered in Oregon. Eight of them are known only from the Gorge and nowhere else on earth. The list is attached.

Thank you for the opportunity to respond. I request that this letter be made a part of the hearing record.

Sincerely yours,

Jean L. Siddall

Jean L. Siddall
Director

RARE, THREATENED AND ENDANGERED PLANT OF THE COLUMBIA RIVER GORGE PROVINCE

Scientific name	Common name
* Agrostis howellii	Howell's bentgrass
Alisma gramineum	narrow-leaved water plantain
Allium douglasii var. nevii	Nevius' onion
Arabis furcata	Columbia Gorge rockcress
Arabis sparsiflora var. atrorubens	sickle-pod rockcress
Arenaria franklinii var. thompsonii (probably extinct)	Thompson's sandwort
Arnica amplexicaulis var. piperi	Piper's streambank arnica
Artemisia campestris var. wormskioldii	northern wormwood
Artemisia lindleyana	Lindley's wormwood
Astragalus hoodianus	Hood River milk-vetch
Astragalus howellii	Howell's milk-vetch
Bolandra oregana	Oregon bolandra
Botrychium lanceolatum	lance-leaved grape-fern
Botrychium virginianum	Virginia grape-fern
* Calamagrostis howellii	Howell's reedgrass
Calypso bulbosa	Calypso
Carex macrochaeta	Alaskan long-awned sedge
Castilleja rupicola	cliff paintbrush
Clematis columbiana var. columbiana	Columbia clematis
Corydalis aquae-gelidae	Cold-water corydalis
Cypripedium montanum	mountain lady's-slipper
Delphinium leucophaeum	white rock larkspur
Delphinium nuttallii	Nuttall's larkspur
Dodecatheon dentatum	white shooting-star
Dodecatheon poeticum	narcissus shooting-star
Douglasia laevigata	douglasia
Eburophyton austinae	phantom orchid
* Erigeron howellii	Howell's daisy
* Erigeron oreganus	Oregon daisy
Hackelia diffusa var. diffusa	diffuse stickweed
Hemitomes congestum	hemitomes
Heuchera grossularifolia var. tenuifolia	thin-leaved alumroot
* Hieracium longiberbe	long-bearded hawkweed
Howellia aquatilis	howellia
Lewisia columbiana ssp. columbiana	Columbia lewisia
Linanthus bakeri	Baker's linanthus
Lindernia anagalloides	long-stalked lindernia
Lomatium columbianum	Columbia Gorge lomatium
Lomatium laevigatum	smooth desert parsley
Lomatium suksdorfii	Suksdorf's lomatium
* Lupinus latifolius var. thompsonianus	Thompson's lupine

*Known only from the Columbia River Gorge

Rare, Threatened and Endangered Plants of the Columbia River Gorge - page 2

Lycopodium annotinum	stiff club-moss
Lycopodium selago	fir club-moss
Meconella oregana	Oregon meconella
Penstemon barrettiae	Barrett's penstemon
Penstemon glandulosus	glandular penstemon
Penstemon subserratus	subserrate penstemon
Pleuricospora fimbriolata	fimbriate pinesap
Poa gracillima var. multnomae	Multnomah bluegrass
Ranunculus lobbii	Lobb's buttercup
Ranunculus macounii var. oreganus	Macoun's buttercup
* Ranunculus reconditus (probably extinct in Oregon)	Dalles Mt. buttercup
Rorippa columbiae	Columbia cress
Sagittaria latifolia	Wapato, Indian potato
Scirpus cyperinus	woolgrass
Scribneria bolanderi	Bolander's scribneria
Suksdorfia violacea	violet suksdorfia
Sullivantia oregana	Oregon sullivantia
* Synthyris stellata	Columbia synthyris
Tauschia stricklandii	Strickland's tauschia
Tiarella laciniata	cut-leaf foamflower

Compiled
by Jean L. Siddall, Director
Oregon Rare and Endangered Plant Project
March 1983

OREGON RARE AND ENDANGERED PLANT PROJECT
535 Atwater Road
Lake Oswego, Oregon 97034
(503) 636-4633

March 30, 1983

The Honorable Bob Packwood
United States Senate
369 Russell Senate Office Building
Washington, D.C. 20510

Re: SB 627

Dear Bob:

The hearings held March 25 at BPA proved even more than those in Hood River that we need federal protection for the Columbia Gorge if any vestige of the Gorge as we know it on the Washington side is to survive. The total lack of respect for the hearing process in the form of applause and boos from the Skamania County contingent, even after being asked repeated to refrain, had a lot of contempt for authority in it and does not speak well for the outcome of any effort at cooperative bistate agreement as an answer to protecting the Gorge. Further, statements were made on both sides that there simply is no money in either Washington or Oregon to do the planning, let alone implement or enforce it.

The only thing I picked up from the hearing which is presently not in the legislation but needs to be addressed, was concern for tribal rights, sensitive areas (religious, historical, etc.) Otherwise, the legislation should stand as is, in my opinion, although I prefer to see the National Park Service in charge. Their orientation is more compatible with the goals of protection and tourism, they do not have the conflict of also being a consumer of the resource, and their is no possibility of tying funding for planning, implementation and management to timber sales, which would be counterproductive.

Thank you for your unflagging support of the Gorge. This is not an easy issue. Maybe one has to come from somewhere else, or at least have lived somewhere else, to realize what a national treasure we have here.

Sincerely yours,

Jean L. Siddall

Jean L. Siddall
Director

P.S. Enclosed is a copy of my testimony for the hearing record. I will send copies of both letters to Les AuCoin, Ron Wyden and Jim Weaver.

King County Executive
Randy Revelle

Testimony of

KING COUNTY EXECUTIVE RANDY REVELLE
King County, Washington

Before the

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
Subcommittee on Public Lands and Reserved Water

on

THE COLUMBIA RIVER GORGE ACT OF 1983

Portland, Oregon
March 31, 1983

400 King County Courthouse 516 Third Avenue Seattle, Washington 98104 (206) 344-4040

Columbia River Gorge March 31, 1983

Mr. Chairman and members of the Senate Subcommittee on Public Lands and Reserved Water, I regret that I am unable to present this testimony in person. I therefore respectfully request that you include my written testimony as part of the record for the first hearing on S. 627, the Columbia River Gorge Act of 1983. As County Executive for the 1.3 million residents of King County and as Co-chairman of the Washington State Friends of the Columbia Gorge Steering Committee, I am deeply concerned about future development in the Columbia River Gorge.

As a native Washingtonian, I have long enjoyed the many outdoor wonders of the Pacific Northwest. Only last year, my family and I were able to share and enjoy the incomparable beauty of the Columbia River Gorge. We traveled by boat, by car, and by foot, from Crown Point to Maryhill State Park, exploring the many splendors of the Gorge. We viewed the Gorge's inspiring scenic vistas, enjoyed the spectacular waterfalls, climbed majestic Beacon Rock, watched Native Americans catch fish at Cascade Locks, and marveled at the history of Maryhill Museum.

The Columbia River Gorge is a spectacular, one-of-a-kind landscape that must be preserved and protected for future generations. I am convinced that all of the people of Washington State will benefit from efforts to protect the Columbia River Gorge from irresponsible growth and development.

As a Seattle City Councilman for eight years and now as King County Executive, I have a long standing commitment to responsible growth management which respects our environment. Scenic vistas, water recreation, farmlands, and open spaces contribute to the quality environment which makes King County and Washington State desirable places in which to live. Moreover, our quality environment is the key to our future economic growth. Our environment frequently attracts people and industries to our part of the United States.

We should encourage concentrating new growth in the Gorge's existing urbanized areas, rather than sprawling such growth over the less developed areas of the Gorge. The Gorge can have a reasonable rate of growth which provides for a wide range of industrial, commercial, residential, recreational, agricultural, and cultural activities. Growth should be managed in a responsible way through the use of incentives and reasonable regulations to encourage a strong economy and a quality environment. Responsible growth management is the best way we can ensure our children and grandchildren can enjoy the same beautiful Columbia River Gorge we enjoy today.

I am generally a strong advocate for local control, but in this instance I feel that federal intervention is necessary. There have been efforts to develop and implement a unified Gorge management plan, but little has been accomplished. It is easy to understand why, with two states having separate laws, and over fifty federal, state, and local jurisdictions all having their own programs for the Gorge. The real problem is that the Gorge has not been considered as a "single" resource.

The time has come to develop and implement a unified Gorge management plan. The proposal I support would provide for a balanced role for all governmental concerns, starting with the help of a lead federal agency and culminating in a regional, state, and local partnership to sustain continued Gorge management.

Columbia River Gorge

March 31, 1983

The proposed Regional Advisory Commission is an important part of providing for local control. As an elected county official, I would encourage your Committee to actively involve local elected county officials in the Regional Advisory Commission. These elected officials will be ultimately responsible for land management in the Columbia River Gorge, and their active participation in the initial development of the Columbia River Gorge Scenic Area is essential.

In addition, limited local taxing authority makes the issue of land use in the Columbia River Gorge particulary critical for a number of Washington counties. I would hope that local jurisdictions will be fully compensated for any lands taken off their tax rolls, and that this federal re-imbursement would occur as quickly as possible.

Mr. Chairman and members of the Subcommittee, in my testimony I have not discussed every detail of my concerns about the Columbia River Gorge Act of 1983. Nor have I offered specific amendments at this time. I understand that this is the first of a series of hearings to be held on the subject of Columbia River Gorge Scenic Area legislation, and I look forward to providing you with more detailed comments at a subsequent hearing.

Thank you for this initial opportunity to offer my comments about the Columbia River Gorge Act of 1983.

[illegible]

NESIKA LODGE
COLUMBIA RIVER GORGE

TYEE LODGE
MOUNT HOOD

TRAILS CLUB OF OREGON
P. O. BOX 1243
PORTLAND, OREGON 97207

MEMBER
FEDERATION OF WESTERN
OUTDOOR CLUBS

April 5, 1983

Testimony in support of the Columbia River
Gorge Scenic Area

The Trails Club of Oregon supports Senate Bill 627 to designate the Columbia River Gorge National Scenic Area. Since 1920 the Trails Club has been a property holder in the Gorge, and presently owns a lodge and 40 acres situated several 1000 feet above the river on the Oregon side. In addition club members yearly hike many miles of Gorge trails on both sides of the river, and have been instrumental in maintaining them. The members, therefore, take a very personal interest in efforts to protect the Gorge from desecration.

It is our belief that a National Scenic Area designation would insure that the Gorge would not be exploited by developers interested only in economic gain, and that it is the best way to coordinate efforts which up to now have been inadequately handled by local, State and Federal jurisdictions.

The Columbia River Gorge is the legimate concern of all residents of Oregon and Washington. It is ours to enjoy, and ours to protect.

Submitted by Conservation
Committee

Mary Mason, Chair

Rt. 3, Box 266
Cheney, Washington
99004
April 18, 1983

The Honorable Senator Henry Jackson
Energy and Natural Resources Committee
U.S. Senate,
Washington, D.C. 20510

Dear Senator Jackson,

Please include this letter in the official hearing record for the Columbia Gorge Scenic Area.

I am a geologist with considerable interest and experience studying and teaching about our national park system. The geological features in the Gorge are unique and provide the only continuous exposure of rocks through the Cascade Mountains. The educational potential here is immense but requires that access by the general public be maintained and restrictive clutter in the form of overdevelopment be prevented.

I am concerned that adequate protection for the Columbia River Gorge and its major tributaries cannot be achieved without strong federal involvement. The recent plan put forth by Governors Spellman and Atiyeh provides inadequate protection for important tributaries such as the Wind River, Panther Creek, White Salmon River, and Little White Salmon River; lacks adequate land acquisition funds; and provides for a large, unworkable 23 person commission. A stronger voice should be given to the U.S. Forest Service to lessen the impact of the developers who would line the gorge with houses and other structures.

The Gorge has unusual scenic, historical, and scientific interest and deserves to have a meaningful protection under a scenic area designation.

Sincerely,

Eugene Kiver

Dr. Eugene Kiver

Dick Adlard
M.P. 0.78L
Loop Road
Stevenson, WA 98648

April 6, 1983

Tom Imeson
Sen. Mark O. Hatfield's office
Pioneer Courthouse
555 SW Yamhill
Portland, OR 97204

RE: Future management of the Columbia River Gorge

Dear Senator Hatfield:

While I am a member of the Washington Columbia River Gorge Commission, I am writing today as a private citizen concerned with the future protection of the Columbia River Gorge. My home for 21 years has been Skamania County, in the heart of the Gorge. Before my retirement, I worked as a Washington State University extension agent with responsibilities for resource development and forestry.

Over the years I have repeatedly witnessed environmental requests relating to protection of the Gorge's natural beauty set aside or entirely dismissed. I am cognizant of the power structure which so ably seeks out and gets public support for its own short-term financial gain, regardless of the cost to the Gorge itself. Yet, I also recognize the need to provide reasonable protection of an individual's property rights and to ensure that Gorge communities remain economically functional.

I commend the public leadership displayed last month by Washington Gov. John Spellman and Oregon Gov. Victor Atiyeh. Their joint action is an important positive step toward resolving the long-recognized need to protect one of the world's natural scenic wonders. The governors' concepts also recognize the rights and economic freedoms so cherished by those of us living in the Gorge.

The fears of some Skamania County residents and those living in the Portland/Vancouver metropolitan area that ill-conceived, poorly-planned development will trigger loss of natural beauty in the Gorge are, in my opinion, valid. Recent benchmark analysis of Skamania County lands identified as critical in the proposed federal legislation reveal the fact that a shocking 60% of the landowners are absentees, with an average parcel size of 24 acres. This finding is further supported by the fact that 23% of the western portion of Skamania County lands within the statutory boundary of the Gorge (10,500 acres lying between Beacon Rock and the county's western boundary) has been divided into parcels 20 acres or smaller.

Developing a strong tourist industry can be complementary with the Gorge's spectacular scenery, as well as provide a means whereby residents can maintain their property and livelihood. Local citizens would find increased employment opportunities and an incentive to protect the natural resources of the Gorge would be generated.

There have been several studies of the potential economic impact of tourism in the Gorge. Detailed economic studies made in the Gorge under the auspices of the Mid-Columbia Economic Development District 1/ showed that 41% of the people interviewed at the Bonneville Dam on the Columbia River were from states other than Washington, Oregon, California or Idaho. The findings further pointed out that the average overnight visitor to the Gorge spent $27.57 within the area.

The following table relates to last year's visitor days:

1982 Visitor Days in the Immediate Mid-Columbia Area:

Columbia Sightseer Tour Boat	16,760
Carson National Fish Hatchery	2,498
Gifford Pinchot National Forest	
Wind River District, Carson, WA	161,000
Mt. Adams District, Trout Lake, WA	302,000
Bonneville Dam	2,503,785
Spring Creek National Fish Hatchery	2,009
Beacon Rock State Park	324,281
Mt. Hood National Forest	
Columbia Gorge District	72,300
Multnomah Falls	146,700
Oregon State Parks	3,600,000
	7,131,333

Recognizing that there is some visitor day duplication among Gorge attractions, if facilities fully capitalize on just 25% of the total visitor days, approximately $26,400,000 is generated for the regional economy 2/. If 10% of the total visitor days result in overnight stays, about $58,000,000 would be generated 3/.

In order to fully recognize and utilize the economic potential of tourism to the region, ongoing and effective protection of unique scenic and natural values must be achieved.

Regarding the proposed joint management principles outlined by our governors calling for singular regional management, I strongly believe that there should be local, state and federal participation, each with an equal voice in managing the region. No single level of government should have a dominant role.

1/ From WICHE study "Proposed Tramway Analysis for the Port of Cascade Locks," by Wilber Conder, Larry McCollum and Morton Michelson, 1971.

2/ 25% days x $14.80 = $26,400,000, based on $14.80 day use revenue from WICHE study, "Proposed Tramway Analysis for the Port of Cascade Locks," by Conder, McCallum and Michelson, 1971.

3/ 10% days x $81.41 = $58,000,000. Overnight revenue based on WICHE study "Proposed Tramway Analysis for the Port of Cascade Locks," by Conder, McCallam and Michelson, adjusted for inflation.

With regard to the legislation currently before our national congress, I do not feel that it would create the equal and effective partnership so badly needed. Too much authority would be given to the Sec. of Agriculture. Planning and management of the area should be the ultimate responsibility of the regional commission. Hopefully this commission would provide for the equal representation of all interests.

To avoid the conflicts of interest currently present in Gorge management, the regional commission should be a citizens board. Many of the region's current management problems are the direct result of the provincial and autonomous views of the area's numerous public agencies and elected officials. To appoint agency personnel to a regional commission would serve only to perpetuate these problems.

The governors' suggested commission of 23 members is too large to work effectively. I would like to see a 12-member commission composed of: Two representatives of local government from each state (4); Two representatives of each state (4); and four citizens from the nation at large who are knowledgeable of the Gorge (4). The first eight mentioned should be appointed by their respective governors, and the last four should be appointed by the President of the United States. All appointments should be staggered, giving the commission strong leadership tenure.

I am also deeply concerned about acquisition and condemnation procedures. While acquisition of land in fee and less-than-fee is a necessary conservation aid, it should be limited to instances where no other techniques, such as land use controls, subsidies or incentives, is practical. Such condemnation authority should rest with the regional commission. Under no circumstances should condemnation be initiated without prior regional commission approval.

Thank you for this opportunity to share my comments.

Sincerely,

Dick Adlard

Dick Adlard
M.P. 0.78L Loop Road
Stevenson, WA 98648

CC: U.S. Sen. Bob Packwood
U.S. Sen. Slade Gorton
U.S. Sen. Henry Jackson
U.S. Rep. Don Bonker
U.S. Rep. Sid Morrison
Gov. Victor Atiyeh
Gov. John Spellman

Wash. Sen. Hal Zimmerman
Wash. Sen. Albert Bauer
Wash. Sen. Alan Thompson
Wash. Rep. Dennis Heck
Wash. Rep. Shirley Galloway
Wash. Rep. Dean Sutherland
Wash. Rep. Joe Tanner
Wash. Rep. Oliver Ristuben

The Committee To Preserve Property Rights
IN THE
Columbia River Gorge

WASHINGTON

ABERDEEN
Norman Gotovac
APPLETON
Mike Rodman
AUBURN
Ray Kettman
BATTLEGROUND
Bill Zellmer
BINGEN
Dorene Miland
BOTHELL
Katharine Ryan
BREMERTON
Darlene Adams
BRINNON
Jean Phillips
CAMAS
James Egan
CARSON
Ed Hargadine
COOK
Doug Proach
DES MOINES
Bill Pike
ENUMCLAW
Ed Storm
EVERETT
Arnie Knudson
FEDERAL WAY
Elizabeth J. Howard
GOLDENDALE
Oscar Boehler
GRANDVIEW
Herman Homer
HOME VALLEY
Blanche Barnes
KENT
Bill Nesbitt
LACEY
Joe Carroll
LONGVIEW
Doug Zaring
MERCER ISLAND
King Paget
MOXEE
Duane Heine
NACHES
Larry Spargur
NAPAVINE
Gene Miller
NORTH BONNEVILLE
Marcia Mansfield
OLYMPIA
Jack Burns
ORCHARDS
Suzanne Taylor Moore
PORT ANGELES
George C. Rains
PROSSER
Don Mercer
PUYALLUP
Juanita L. Schindler
RENTON
Lola Perrins
RICHLAND
Norm Fisler
RIDGEFIELD
Leon Prentice
SEATTLE
EAST
Gladys Edwards
SOUTH
Elizabeth Mullett
MAGNOLIA
G. G. Giffin
NORTHEAST
Dennis Falk
QUEEN ANNE
Millard Larson
SELAH
Olive Thornton
SPOKANE
Mrs. F. H. Trantow
STEVENSON
Jack Melrose
TACOMA
Robert Wolf
TROUT LAKE
Bill Lauterbach
UNGERWOOD
James Ziegler
VANCOUVER
Dale DeTour
WALLA WALLA
Dick Farrell
WAPATO
Ed Harnden
WASHOUGAL
R. G. Taylor
WHITE SALMON
Roger Connolly
YAKIMA
Lorne House
ZILLAH
Harold Davhuff

OREGON

ALBANY
Roger Wikel
ALOHA
Hurshel Young
BAKER
Garn Bardy
BEATTY
Robert Jones
BEAVERTON
Jean Marie Jewell
BEND
Alvin Bauer
BORING
Steve Hill
CANBY
David Fisher
CASCADE LOCKS
Joe Wrabek
CHILOQUIN
Stan Cranston
CORBETT
Tony Bertz
CORVALLIS
Louise Copes
CRESWELL
Ross Bradford
DODSON
Carol Royce
EUGENE
Wayne D. Kleinman
GRANTS PASS
Richard Twogood
GRESHAM
Russell Dickey
HILLSBORO
Carl Arnt
HOOD RIVER
Dave Diers
KLAMATH FALLS
Henry Stevens
LA GRANDE
Don Kohler
MADRAS
Tom Lakin
McMINNVILLE
Walter Machie
MEDFORD
Sam Flyte
MILWAUKIE
Lyle Johnson
MOLALLA
Peter Blythe
MYRTLE CREEK
C. W. Lebengood
NEWBERG
Fred Casey
OAK GROVE
Dolores Boatright
OAKLAND
Clayton Wells
OREGON CITY
Lamont Rumgay
PARKDALE
Barbara Schenewark
PORTLAND
NORTH
Rodney Toedtemeier
NORTHEAST
Melvin Lieurance
NORTHWEST
Rodger Eddy
SOUTHEAST
Gary Allmaras
SOUTHWEST
Ralph Wiser
REDMOND
Martha Stranahan
ROCKAWAY
Loretta Korsun
ROSEBURG
Robert Faas
SAINT HELENS
Maggie Jewell
SALEM
Marshall Jones
SCAPPOOSE
Penney Merrell
THE DALLES
Dorothy Bateman
TIGARD
Joe Thornton
TROUTDALE
Laura Standridge
TUALATIN
Max Clark
WARREN
Delbert Long

TESTIMONY
on
Washington Wilderness Legislation
Senate Bill 837

by
John K. Fisher, Chairman
June 3, 1983

The Committee To Preserve Property Rights In The Columbia River Gorge believe in individual rights and a strong America economically. We believe it is our obligation to conserve for future generations not only the natural resources of our nation, but also the freedom that is the American way of life and government.

A tiny minority of special interest environmentalists are leading the United States government into a war against rural America. Senate Bill 837 is one of a continuing series of attacks in this war. It would set aside 365,000 acres in addition to the 3,557,600 acres of present non-productive federal land in the state of Washington. Over the last 15 years, the federal government has been acquiring land nationally at a rate of about 3/4 million acres per year.

The setting aside of Wilderness areas is a matter of grave consequence. There is just so much land available for the growing of trees. Every acre of timber land that is set aside in a National Park, Recreation Area, Wild and Scenic River, Wild Life Refuge, Wilderness Area or National Scenic Area might as well have cities built on it as far as the sustained yield timber resource is concerned, because every acre taken out of production reduces by that much the size of the sustained yield pie.

Now it is true that the lands left in production will increase in value and the timber, too, but it will cost the consumer in the long run. It will reduce the number of jobs in timber related industries, and for each job lost in the timber related industries, there are two additional jobs lost in the general economy. It will reduce the revenues to federal, state, and local governments and to the local school districts. It will have a devastating economic impact in this and other western states, and on the economy of the nation. We simply cannot afford the luxury of setting aside large tracts of land for a single use—the use of those so inclined and healthy enough to enjoy it by the most strenuous and restrictive means possible, such as hiking.

Gifford Pinchot, first chief of the United States Forest Service under the Department of Agriculture, maintained that Forests were for use, not reservation from use. Pinchot coined the term "Conservation" to mean "wise use of resources." Conservation from 1890 to 1920 was a scientific movement led by a small group of men pursuing orderly, efficient use of resources under the guidance of experts.

Gifford Pinchot's term "conservation" was gradually changed by radical elements of the environmental movement to mean "preservation." The preservationists have lost faith in their fellow man and seem to believe that only government has the wisdom to regulate our natural resources. By the highest estimates fewer than 10% of all Americans belong to any kind of environmentalist organization. Very few members of environmentalist organizations are among the poor, ethnic minorities, or goods producing sector. Most are middle or upper-middle class, well educated, and with much leisure time. These people present themselves as representing the "public's interests" when in fact, the public's interests are as different as people are, and no organization speaks for them all.

Environmentalists have formed political action committees in more than 30 states to raise money and recruit candidates who support their views. The ecology movement is composed of tax-exempt organizations pressing for legislation to produce social change and more federal control over our lives. Environmental biologist Garrett Hardin's The Tragedy of the Commons says, "The social arrangements that produce responsibility are arrangements that create coercion, of some sort." The solution, he tells us, is mutual coercion , mutually agreed upon." He goes on: "To say that we mutually agree to coercion is not to say that we are required to enjoy it, or even to pretend we enjoy it." As William Pitt warned, "Necessity is the plea for every infringement of human freedom."

People are being forced out of the rural areas into the cities. Life in the cities is characterized by unemployment, dependance on government programs, and loss of individuality and freedom. What we ask is, when rural America is depopulated, who is going to provide the food, fiber, lumber and minerals for the cities? Environmentalism is a movement for social change, and to quote Ron Arnold, "It is not so important where they stand as in which direction they are moving."

We would be wise to heed the late Italian Historian Guglielmo Ferrero's Ancient Rome and Modern America, published in 1914. He wrote: "The disease which killed the Roman Empire was, in fact excessive urbanization. . .With each succeeding generation the impulse towards the cities became stronger. The numbers and requirements of modern population increased. . .In order to feed, amuse, and clothe crowded city populations; to carry throught the construction of magnificent monuments, to provide work for the industries and the arts of the cities, agriculture was little by little ground down by ever-increasing burdens. . .The agriculture of the Empire, and with it the Empire itself, received its death blow.

2933 NE 16th Ave.
Portland, OR 97212
March 30, 1983

U.S. Senator Mark Hatfield
Washington, D.C. 20510

Dear Senator Hatfield:

As a frequent user of the Columbia Gorge for recreation, I am very aware of its current scenic value and of the ease with which uncontrolled development could ruin the area for many recreational uses.

I appreciate your efforts to save the Gorge for future generations. I hope that the Congress will act favorably and quickly on your bill (S627) for responsible Gorge development with scenic preservation.

Sincerely,

CPSchade

Charles P. Schade

P.S. I was unable to attend your hearings March 25. Please include these comments in the hearing record.

NATIONAL
INHOLDERS
ASSOCIATION

P.O. Box 588
Sonoma, California 95476
(707) 996-5334

Charles S. Cushman
Executive Director

Rosemarie Craven
Washington Representative

REGIONAL REPRESENTATIVES

East	
Carol Chambers	212/744-1027
Kathryn Clark	301/842-3280
Esther Kahr	617/525-3335
Lilly Flader	216/657-2284
Clara Brown	301/371-5500
Dr. Hugh Hermann	802/457-1200
David Cash	603/643-5234 643-3616
Southeast	
Cheryl Bowlin	404/476-1727
Arlene Crow	703/744-2264
Alan Bradshaw	615/346-6611 346-3663
Southern	
Mike Hevener	305/247-5234
Dan Martin	501/624-6052
Pat Crowder	804/282-0112 919/453-2770
Marilyn Eaton	501/429-6523
Louis Gregoire	501/294-5235
Midwest	
Emil Groth	906/523-4525
John McCarthy	218/283-9478
John Rackauskas	312/425-4266
Kathy Stecklen	616/882-4072
Mike Pisansky	612/636-1805
Jack Hoag	313/881-2356 406/888-5626
Rocky Mountain	
Roland Mc Reynolds	307/733-6572
Walter Hines	913/233-6714 303/586-3775
Laurel Kahr	406/586-3252
Herb Pownall	307/745-7582
Frank Craighead	307/733-3387
Robert Kiley	303/586-4706
Southwest	
Don Hoel	602/282-3560 282-3025
Pat Randa	213/760-0146
Warren Pirtle	602/634-3187
Don Anderson	213/455-1087
Norm Serra	213/454-8003
Rollin Reynolds	213/353-0270
Northwest	
Helen Radke	206/928-3223
Lorraine Maris	206/374-6964
Hebbie Morehead	509/687-3413
Kathy Schwalm	206/652-3435
George Holtzner	206/228-4960
Joe Wrabek	503/374-8585
West	
Paula Walling	408/667-2223
Dan Lamoreaux	801/586-9356
Marie Escola	415/820-4119
Steve Fairchild	209/736-2708
Bob Fishback	209/733-1036
Ernie Mobley	209/787-2717
Mary Grace Galvin	408/867-0700
Alaska	
Ray Richcreek	907/822-3029
Skip Elliot	907/983-2297
Ray Kreig	907/276-2025
Warren Smith	907/488-2092

Subcommittee on Public Lands and Reserved Water,
Committee on Energy and Natural Resources
United States Senate

Testimony S.627

National Inholders Association

The NATIONAL INHOLDERS ASSOCIATION is a non-profit public-interest national association organized to protect the rights of Americans on lands owned or regulated by government. NIA was organized in 1978 in response to a program by the National Park Service to eliminate, by condemnation when necessary, all inholdings within the National Park System. These inholdings included entire towns, such as Wawona in Yosemite and Kelly in Grand Tetons, which had a history predating establishment of the parks themselves. There are currently over one million inholders and their families in areas managed by the U.S. Forest Service, National Park Service, Fish & Wildlife Service, Bureau of Land Management, Army Corps of Engineers and Bureau of Reclamation. More inholders are created each time Congress designates a new Federally-managed park area or changes the boundaries of an existing area. Each year small rural communities continue to be swallowed up by the creation or expansion of such areas.

Legislative Office • 1629 "K" St. N.W., S-520 Washington, D.C. 20006 • (703) 690-2860 (202) 296-3339

National Inholders Association: A public-interest nonprofit association that protects the rights of Americans on lands owned or regulated by government.
National Parks • National Forests • Fish & Wildlife • Bureau of Land Management
• Corps of Engineers • Bureau of Reclamation

NIA believes inholders have the right to the full use and quiet enjoyment of their land consistent with the intent of Congress in its creation of an area. NIA insists that specific provisions and protections for private land be considered in the creation and management of an area. NIA believes inholders can coexist with Federal areas to the benefit of those areas, and opposes the institutionalizing of an absolutist, no-use philosophy toward the Federal lands, which views human presence as an "incompatible encroachment on the resource."

NIA is not opposed to the creation of Federal park and recreation areas *per se*. NIA is opposed to the elimination of *people*. NIA believes people and their culture are as much a national resource and treasure as wildlife and vegetation. NIA has actively intervened in numerous individual condemnations and other situations where pressure was being exerted upon farmers and landowners to sell simply to increase the size of the Federal domain, and has worked to prevent the enactment of legislation which would have resulted in the ultimate acquisition of thousands of homes in Big Sur, Lake Tahoe, Indiana Dunes, and the Olympia Peninsula, to name but a few areas.

NIA supports the establishment of Federal park and recreation areas, *provided:*

- the designation is based on an intelligent and comprehensive inventory of resources substantiating that the area is truly of national significance;
- there is a demonstrated threat to the area absent a Federal designation;

- there exist no state or local government alternatives to Federal involvement;
- the designation takes into consideration the culture and heritage of the people who live in the area, and contains specific provisions for their protection;
- private conservation efforts through tax incentives and other forms of cooperation and self-regulation are recognized and encouraged, and not sublimated to a wasteful government condemnation and purchase of private land;
- the designation is for resource protection, and not for political purposes, as an excuse to spend Federal monies, or for private financial gain. NIA has always opposed the creation of "ego-political" or "pork-barrel" parks.

The above are lacking in the proposal by Senators Hatfield and Packwood in S.627, and by Reps. Weaver and AuCoin in HR 1747, to create a 480-sq. mi. "National Scenic Area" out of agricultural and silvicultural land east of Portland, Oregon, in the Columbia River Gorge. NIA opposes the proposed "National Scenic Area" as unnecessary, wasteful, unconscionable, and counter-productive, and destructive to the civil rights, culture and heritage, and communities of the 41,000 residents of six counties and two states who will become inholders if this legislation passes.

"National significance" was intended to be a test to ensure that only the "crown jewels of the American landscape" were brought into the Federal park system. The term is used here with respect to the Columbia Gorge as an unsubstantiated and almost ritualistic catchword, as if the application of the label alone were sufficient to confer national significance. The 1979 National Parks Service Study of Alternatives attached a "significant" label upon nearly every rock outcropping, waterfall, farmscape, and viewpoint in the Columbia Gorge without providing documentation for the claims. NIA is concerned about the indiscriminate use of "national significance" claims to acquire Federal funding through a Federal designation for expensive park "wish lists" primarily desired by and of benefit to local governments and local pressure groups unwilling to bear the cost themselves. This is precisely what the "national significance" test was intended to prevent.

Both Portland City Commissioner Mike Lindberg and Vancouver Economic Development Manager Eric Hovee, who testified today, have pointed out their purpose in advocating a Federal designation for the Columbia Gorge is to bring more tourism dollars and convention business to their respective cities, and to use the "free" Federal advertising of what they have referred to as "one of the Northwest's greatest unmarketed tourist attractions" as the "magnet" to draw those dollars in. While one has to applaud the creative efforts of these officials (who, along with a number of Portland and Vancouver business leaders, are members of the "Friends of the Gorge," the group which has been lobbying for passage of this legislation) to benefit their cities and business communities at little or no cost to their own taxpayers, one must question the appropriateness and desirability of using Federal funds for that purpose--funds, moreover, which would be diverted from other Forest Service and Park Service projects which are not for such exclusively local use and benefit. And one must ask by what stretch of the imagination it is in the "national interest" that the 41,000 residents of this "unmarketed tourist attraction" be victimized in the process.

"Threats to the Gorge" have been ballyhooed as loudly, and are just as devoid of substantiating evidence, as the claims of "national significance." The claims of "rapid population growth," "uncontrolled development," and "more than 50 jurisdictions" presumably (though never specifically claimed to be) working at cross-purposes, stack up very poorly against the actual evidence of a consistent population decline, the implementation of the strictest and most innovative local, state, and regional long-range comprehensive land-use planning and regulation legislation in the United States, and the fact that over half of those "more than 50 jurisdictions" are Federal agencies which will be exempt from the provisions of the legislation. City, county and port district governments from both sides of the river, from the west to the east end of the Gorge, expressed in their satements at this hearing their justifiable pride in what their jurisdictions have accomplished in maintaining--in fact, often restoring--their homeland in a minimally disturbed and visually pleasing condition; in the appreciation and support of their actively conservation-oriented populations; and in the way they have succeeded in working together across state and their own jurisdictional boundaries for the good of the entire Gorge, without recourse ot the dubious "benefit" of that "single Federal arbiter" whose "necessity" seems perceptible only to those who are unfamiliar with the area. And they pointed out, almost without exception, that the track record of the Federal government, whose own three dams, powerlines, and four lanes of Interstate freeway constitute nearly the sum total of environmental damage and visual degradation of the Gorge, hardly qualifies them to replace the area's present environmental managers.

NIA submits for the record (Attachment A) two photographs. The black-and-white photo, vintage 1925, is from the records of the Oregon Historical Society, and has been widely circulated by the "Friends of the Gorge" as "evidence" of "what the Gorge used to look like." The second photograph, vintage 1982, taken from virtually the same viewpoint, was donated by the Portland Women's Forum to the Oregon State Parks Department. You will note that the only difference between the landscape 58 years ago and today is that the modern "viewshed" has a four-land Federal freeway running through the middle of it. In neither case is there visual evidence of the area's population, which actually has declined since 1925, as a result of the destruction of farmland, forest land, and entire communities in the course of Federal dam and highway construction.

That alternatives to the overbearing Federal dominance envisioned in S.627 not only exist, but are under active, serious consideration and development, is evident over and over again in this hearing's testimony. No fewer than three other proposals have been made in addition to the "National Scenic Area" bill:

- An "interlocal" government arrangement, similar in concept to that implemented successfully in Minesota by the Mississippi Headwaters Board, which is being drafted and promoted by the Vancouver, Washington, group, the Protect the Gorge Committee;

- A recently-announced agreement between the Governors of Oregon and Washington for administration of the Gorge by the two states, acting through a 23-member commission with Federal agency representation and funding;
- A very strict and widely-supported and defended system of local and state land-use legislation and regulations, supported and co-ordinated by a Gorge-wide regional comprehensive Resource Management Plan, all of which is already in place.

Not only is S.627 not the only plan "on the table," but the opposition to its enactment is not in any way the blind and unthinking rejection of environmental proteaction it has been consistently protrayed to be by the supporters of S.627. Instead, the opponents are offering reasoned and well thought out objections to what they feel is bad and unworkable legislation, coupled with support for alternatives--including the status quo--which they have good reason to believe can do the job better. They have a demonstrated capability and desire to protect their homeland themselves, and are proposing in two of the alternatives above to do so at no expense to the Federal taxpayers. NIA suggests that if the goal is indeed resource protection, it is in the national interest both to have it pursued and implemented by a citizenry committed in their own interest to that same goal, rather than imposed from above by an army of Federal agents whose dictates are bound to be vehemently opposed; and to have that goal implemented at no cost, rather than wasting hundreds of millions of dollars in pursuit of land acquisitions that very obviously could be avoided.

This bill should certainly not be implemented as long as the objections of local residents, local and state governments, Granges, silvicultural groups, and more, that the legislation not only destroys the entire system of locally-supported resource protection legislation they have spent years in creating, but eliminates into the bargain their jobs, their homes and communities, remain addressed.

These are valid fears. They are borne out in Federally-managed area after Federally-managed area, in investigations by the General Accounting Office since 1978. Their six reports detail a bleak and appalling history of Federal park agencies acquiring too much land, acquiring land unnecessarily, spending too much money for it, concentrating on eliminating population instead of resource protection, condemning homes, farms and entire communities in conflict with the intent of Congress, and riding roughshod over the civil rights of inholders as if those people had become second class citizins when their property was placed inside a Federal boundary line. We want no more St. Croix Rivers, Mt. Rogers, or Cuyahoga Valley National Recreation Areas (National Scenic Areas) in the Columbia Gorge. The broad authority proposed to be given to subordinates of the Secretary of Agriculture to acquire land include:

- to acquire as much land as they decide is "necessary";
- to acquire any property offered for sale;
- to condemn 48 square miles of privately-owned land (20% of the private land holdings in the proposed area);

- to condemn any agricultural property when the use or maintenance, in their opinion, changes;
- to condemn property which they decide is "needed" either for "preservation" or "development" (placing the Forest Service in the position of condemning privately protected land in order to develop it);
- to condemn property for resale to others;
- to condemn any property which they decide is "critical" according to criteria which they are to devise--

--sounds like a program for social, economic and fiscal disaster. The policy of the Forest Service of using Declarations of Taking in 100% of their condemnation actions--where the land is taken first, and a court decides later what the former owner is to be paid--allows the Forest Service under this bill to take land in large quahtities with minimal amounts of money, using low estimates, and commit Congress in advance to appropriating the monies to pay the actual "bill" when it comes due. This amounts to an abdication of Congressional budgetary authority to lower-level appointees in the Executive Branch, which ought not to be allowed to happen. Numerous examples of this exist, including the Santa Monica Mountains, which was estimated to cost $155 million. Current estimates show it to cost over $1 billion. Redwoods National Park was projected to cost in 1978 less than $400 million. The expectation today is $1.3 billion. How many more billions of dollars has the Land, Water and Conservation Fund been mortgaged for, that the Congress doesn't know about?

Though offical land acquisition policy has changed both in 1979 and 1982, internal land acquisition practices remain little changed according to the most recent GAO investigative report, "Federal land Acquisition and Management Practices" (CED 81-135--September 11, 1981), which noted that while a revised land acquisition policy in effect since April, 1979, intended to

> give greater consideration to protecting areas through the use of easements, zoning, and cooperative agreements with State and local governments,

had resulted in tripling the amount of land the National Park Service was protecting through such "less-than-fee-simple-purchase" alternatives, on a percentage basis, this only meant that 3% of the lands being added to their administration were being protected in this fashion, instead of 1%. 97% of the land was continuing to be purchased or condemned outright, and area managers were continuing to offer excuses justifying the ongoing acquisition in fee simple of everything inside their administrative boundaries. NIA cannot support the granting of broad discretionary authority to the adminstering and land-acquiring agency to determine on its own, with a near-total lack of Congressional control and oversight, how much land it will acquire, how large an area it will do it in, and how much the public treasury will be ultimately committed to pay for it, without seeing evidence that the agency is prepared to exercise that discretion and responsibility in a restrained and cost-effective manner. To date, all evidence indicates the contrary.

If the intent of this legislation is the preservation of the existing character of the Gorge's landscape in its present visually-appealing mix of large and small farms, timber stands and mills, and 21 large and small communities--many of them older than the U.S. Government itself--nestled at the bottom of the towering and already large publicly-owned cliffs, how does land acquisition fit into that scheme of "preservation"? Can the acquisition of land, itself creating a substantial change in the area's population, economic base, land and home prices, utility costs, and the availability of essential services to the area's population, aid in any way the preservation of the area from change? It seems a contradiction in terms. How is the preservation of scenery aided by authorizing the acquisition of those very things this bill states are part of the scenery? do we render the area more "scenic" by imposing a prohibition against the upkeep of homes and farms in administratively-determined "critical areas"--and then, moreover, authorizing their condemnation because they are no longer maintained? Do we add to the area's "scenic" character by prohibiting in those "critical areas" the repair of county roads, electric lines, city and community water systems? Do we aid the scenery by forcing the closing of businesses and industries outside eight of those communities (the remaining thirteen towns are not recognized to exist under this legislation) and forcing those who used to be employed to move elsewhere? Are boarded-up storefronts, abandoned homes, dead and decaying communities "scenic"? Is unemployment "scenic"? Will tourists come to see these things? If they do, will they come for recreation or to gaze in horror, as they do now in Ohio's "Condemnation Valley NRA," at the abuses an unrestrained government is capable of? How many of these monuments are we going to create before we realize we cannot "preserve" an area by "protecting" the life out of it?

Gentlemen, this hearing record contains numerous statements by local government leaders, local residents, foresters and farmers. Their testimony is articulate and intelligent, evincing a long-standing commitment to conservation, and an abiding love for this harsh and forbidding landscape where they have chosen to live, and a desire to preserve this area exactly the way it is against all comers--including the U.S. Forest Service. Their testimony refutes categorically the claims made by outside groups lobbying for this bill that the people who live in the Columbia Gorge have no appreciation of the area where they live, and no understanding of or interest in its conservation; that they will destroy it if allowed to continue to control its future; and that the continuing exercise of authority by their elected governments, and the continued retention of their own private property, are "threats" from which the Gorge must be saved at all costs. Those claims are born in falsehood and nurtured by a total unfamiliarity with the area and its people. The residents of the Gorge have made it abundantly clear they oppose the enactment of S.627 or any similar legislation because it will not do the job of preserving the area that they are already doing themselves, and have been doing for years.

The long and acrimonious battle over how and by whom the Gorge should be controlled has too often glossed over the question of who wants this sweeping "National Scenic Area" to be established. NIA submits for the record (Attachment B) the results of a poll taken in October, 1982 by Moore Information, Inc., of a scientific sampling of the Portland metropolitan area, asking the question, "Who should manage the Columbia Gorge?" Only 14% favored a Federal role. Clearly, the Portland metropolitan area--considered the "hotbed' of Gorge-federalization advocates--is unconfortable with this "National Scenic Area" idea, and aware of its implications, despite an almost continuous barrage of paid and unpaid advertising in press and on television promoting this legislation on behalf of the "Friends of the Gorge." In the Gorge itself, the opposition is overwhelming in its intensity:

- In Skamania County, Washington, where the question was put on the ballot at the 1981 November election, voters opposed Federal legislation 94-3%.
- On the Oregon shore, the City of Cascade Locks surveyed every customer of its electrical utility, which serves 22 miles of the Oregon side of the Gorge. Its customers, asked in October, 1982 the same question Moore Information asked in Portland, opposed a Federal role 96.8% to 1.6%.
- A survey in February and March, 1983, by COLUMBIA GORGE UNITED, which reached 25,000 households inside and outside the Gorge, found 98.8% against Federal control.

While someone obviously wants this legislation, it also obviously does not seem to be the public.

In fact, the only support that seems to exist for this legislation appears to be within the leadership of those groups which have so assiduously and expensively promoted it. Most of those organizations were heard from at this hearing--either through Portland or Seattle spokespeople or in statements sent to this hearing from Washington, D.C., 3,000 miles away from this "local" hearing--the Sierra Club, Wilderness Society, Audobon Society, Izaak Walton League, Oregon Environmental Council, Oregon Natural Resources Council, and the "Columbia Gorge Coalition" represented by Mr. Chuck Williams, late of the "Friends of the Earth" in San Francisco, and the small Portland-based "Friends of the Gorge." Support for the legislation among the public at large is apparently so thin that it was necessary to include no fewer than 14 members of the "Friends of the Gorge" to flesh out the "pro" side of the hearing docket to the point where it indicated some minimal semblance of the "balance" desired. NIA regrets that achieving this "balance" necessitated refusing the requests of numerous other governments and organizations to testify--including NIA itself, the only national organiation which represents landowners' rights in Federal park issues.

We are grateful for the opportunity to offer material for the record in this case. We urge you to act upon the carefully-considered and reasonable objections which have been presented against this unnecessary, counterproductive, and hideously expensive "National Scenic Area" legislation, and ensure that it does not become law. People in the Gorge and outside it are asking that the Gorge be left alone, to let it be preserved the way it has been preserved for generations, to the credit of its residents and the benefit of the environment--not "by accident," but by the active involvement of the entire citizenry under a strong, widely-supported, and innovative system of state and local laws perpetuating the traditions of environmental conservation of a free and concerned people. To leave the Gorge alone costs the public nothing, and will earn you their gratitude, and that of the Gorge's residents. To impose upon the Gorge this legislation will cost its residents--and the public treasure--dearly, at a time when it can least be afforded, producing nothing as a result.

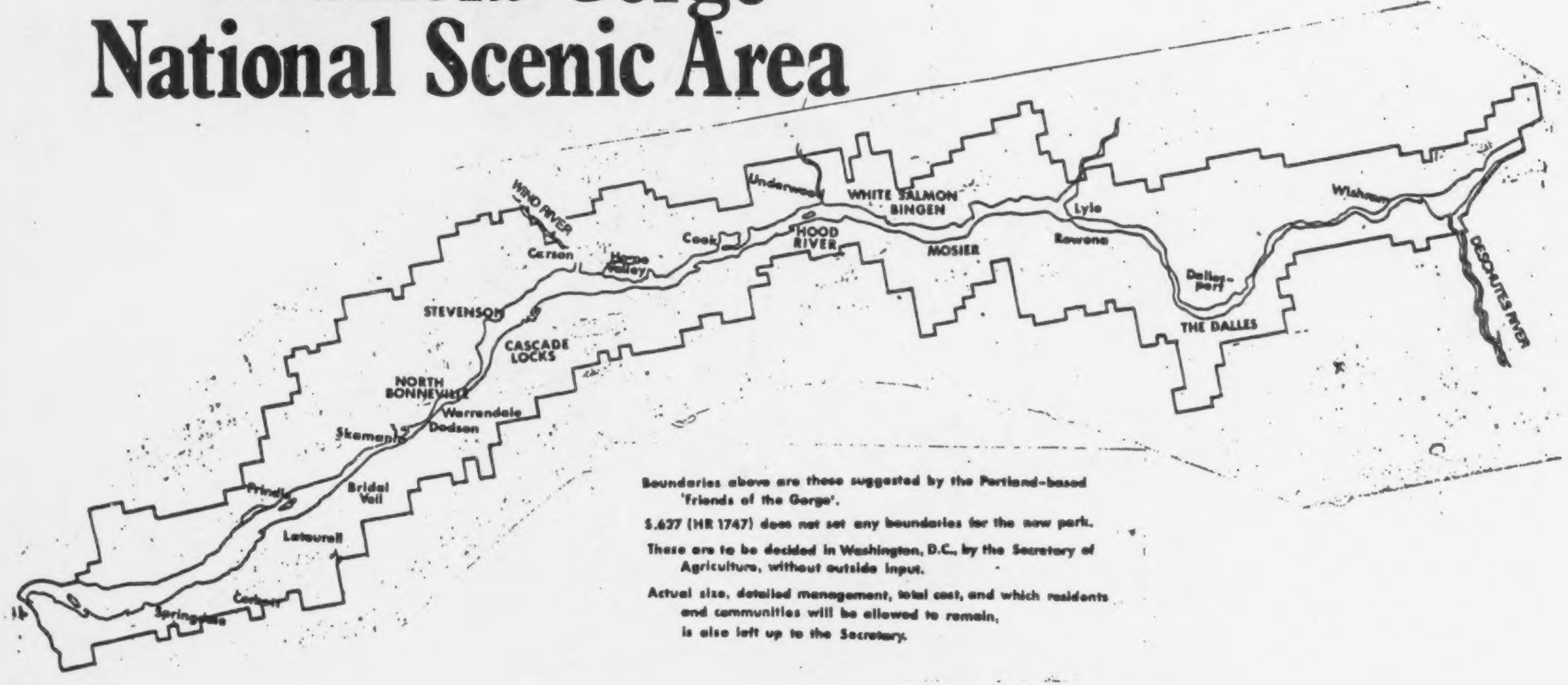
Thank you.

Charles S. Cushman
Executive Director
NATIONAL INHOLDERS ASSOCIATION
Box 588
Sonoma, California 95476

Legislative Office:
Suite 300
1919 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

PROPOSED

Columbia Gorge National Scenic Area


WIND RIVER
Carson
Home Valley
Cook
Underwood
WHITE SALMON
BINGEN
HOOD RIVER
MOSIER
Lyle
Rowena
Dallesport
THE DALLES
Wishram
DESCHUTES RIVER
STEVENSON
CASCADE LOCKS
NORTH BONNEVILLE
Warrendale
Dodson
Skamania
Prindle
Bridal Veil
Latourell
Corbett
Springdale

Boundaries above are those suggested by the Portland-based
'Friends of the Gorge'.

S.627 (HR 1747) does not set any boundaries for the new park.

These are to be decided in Washington, D.C., by the Secretary of
Agriculture, without outside input.

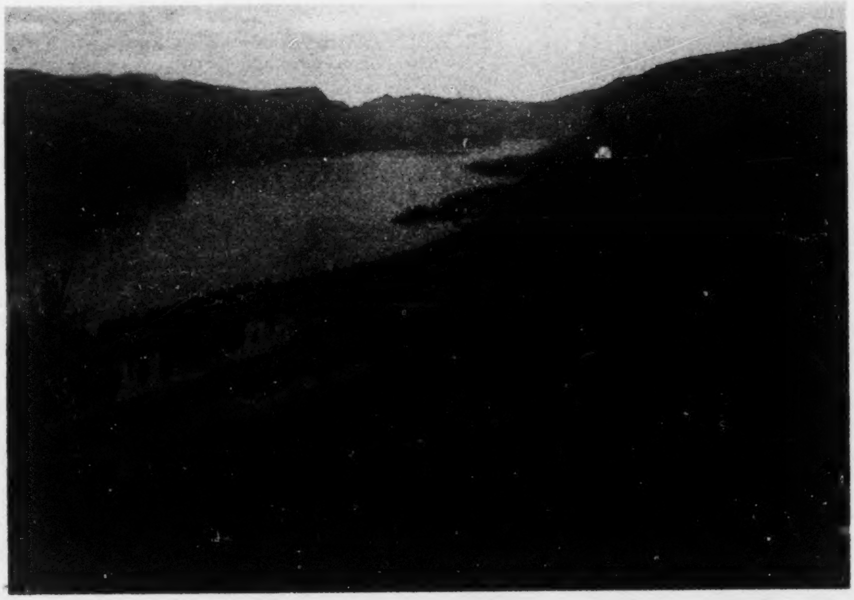
Actual size, detailed management, total cost, and which residents
and communities will be allowed to remain,
is also left up to the Secretary.

A

1982 PHOTO FROM

WOMEN'S FORUM STATE PARK,

COLUMBIA GORGE



B

RESULTS OF

MOORE INFORMATION

PORTLAND METRO AREA SURVEY

OCTOBER, 1982

The protection and preservation of the Columbia Gorge has been a subject of controversy for years. Several Northwest members of Congress have recently introduced Gorge protection legislation.

This month M.O.S.T. asked residents of the Portland Metropolitan area who they felt was best qualified to protect the Gorge.

Women are more likely to believe the State would do the best job protecting the Gorge.

Men are more likely to favor management by the Federal Government than women.

Respondents earning in excess of $25,000 a year are more likely to favor management by private landowners.

"Which do you think would be best to protect the Gorge, management by;

the Federal government,	14%
State governments,	44%
local governments, or	11%
private land owner?	10%
Combinations	4%
Not sure	17%

A majority does not favor management of the Gorge by the Federal Government.

THE GARDEN CLUB OF AMERICA
598 MADISON AVENUE, NEW YORK, N.Y. 10022
TELEPHONE (212) 753-8287
CABLE ADDRESS "GARDCLUB"

PRESIDENT
MRS. SAMUEL M. BEATTIE

1ST VICE PRESIDENT
MRS. ROBERT J. WHIPPLE

VICE PRESIDENTS
MRS. JOHN Q. ADAMS, JR.
MRS. LONG ELLIS
MRS. FREDERIK C. HANSEN, JR.
MRS. JOHN M. MAURY
MRS. PETER VAN S. RICE
MRS. FRANZ SCHAGER

RECORDING SECRETARY
MRS. EDWARD A. BLACKBURN, JR.

CORRESPONDING SECRETARY
MRS. NIELS W. JOHNSEN

TREASURER
MRS. HOBART A.H. COOK

DIRECTORS
MRS. WILLIAM W. ALLIS
MRS. F. PEEL ALLISON
MRS. EDWARD W. ANDREWS, SR.
MRS. A.L. LOOMIS BELL, JR.
MRS. BROOKS BROWN, JR.
MRS. M. BOTHWELL CRIGLER
MRS. JOHN H. DILKS
MRS. WILLIAM EVERDELL III
MRS. ROBERT E. GARDNER
MRS. PHILIP D. GEIER
MRS. BRUCE C. GUNNELL
MRS. EDWARD HARRIS, JR.
MRS. BEVERLY P. HEAD, JR.
MRS. PALMER JACKSON
MRS. PERCIVAL C. KEITH
MRS. W. BOULTON KELLY, JR.
MRS. J. GREER MCBRATNEY
MRS. CHARLES L. MILLER
MRS. A. VAN SANTVOORD OLCOTT
MRS. ARTHUR J. PHELAN
MRS. C. WILLIAM SCHLOSSER
MRS. CHARLES G. WARD, JR.
MRS. WILLIAM H. WEST, JR.
MRS. DOUGLAS C. WYNN

March 24, 1983

Testimony for the Congressional hearing by
Senator Mark Hatfield and the Senate Committee
on Public Lands and Reserved Water March 25, 1983

From The Garden Club of America
Mrs. Lyman W. Hull
Zone XII Water Project Co-ordinator and Conservation Representative

Members of the Garden Club of America have long recognized the Columbia River Gorge as a place of national importance. Many have grown up near the Gorge and know it well. There are eleven member clubs of G.C.A. on the West Coast, which comprise Zone XII: Seattle, Tacoma, Portland and eight others in California and Hawaii. Last April we held our biennial zone meeting in Portland. It included an excursion into the Gorge with the G.C.A. President, Mrs. Samuel Beattie, and the Chairmen of the G.C.A. National Committees of Conservation, Horticulture, National Affairs & Legislation.

In May, 1982 the Executive Committee of the Garden Club of America endorsed the legislation presented to Congress last March, 1982 S.2318 and S.2319 by Senators Hatfield and Packwood. The vote was a culmination of a two-year study by the clubs in zone XII and a series of votes taken by those clubs and the National Conservation and National Affairs and Legislation Committees.

We concur with the 1980 National Park Service study which stated that the Gorge is an area of national significance and a natural resource to be protected. For forty or more years its management has been distributed among fifty some bodies, none of which had any enforceable powers. The proposed legislation provides the framework and support to develop a single management plan, recognizing the importance of existing economies, while seeking to protect the historic, cultural and scenic values which make the Gorge unique. The Gorge contains 800 species of plants, 58 rare or endangered, 9 endemic; it contains diverse geological features, extensive archeological sites and areas of special historical interest to our entire country.

The purpose of the Garden Club of America is to restore, improve, and protect the quality of the environment through programs and action in the fields of conservation, civic improvement and education. Our members are specifically concerned with the protection of endangered species of flora and fauna and preservation and improvements of areas of horticultural, historic, scenic or ecological value. Support of the National Scenic Area Act of 1983 is one of highest priority.

AUDIO

SCHOOL OF LANGUAGES®

March 22, 1983

TESTIMONY:

Senate Committee on Public Lands and Reserved Water

Chairman, Senator Mark Hatfield

Submitted by Mr. Roger Vadim Krijanovsky, March 25, 1983.

I offer the following testimony in good faith out of 25 years experience in the establishing, managing, and operating health resorts both in Europe and the United States. I have owned and managed health resorts in Cannes, France and Gran Canaria Island, Spain and, earlier, worked at a health resort in Escondido, California. I have had a parallel career in the teaching of foreign languages.

I saw the Columbia River Gorge for the first time in 1974. I have seen much of the world and yet the Gorge affected me as few areas of natural beauty have. The Columbia River Gorge is totally unique; it stands apart as one of the great landscapes of the world.

It's beauty so very much affected me that in 1974, I bought the old Bonneville Hot Springs at North Bonneville, Washington.

I write in support of Senate Bill 627, to authorize a National Scenic Area in the Columbia River Gorge. National designation will be most helpful to those of us who wish to enhance the economic life of the area through tourism and at the same time are interested in thoughtful management and protection of the area.

Enclosed is a pamphlet describing my proposed resort at the historic hot springs.

The Columbia Gorge is a great untapped natural resource for the enjoyment of visitors who will appreciate its grand scenery and wonderful plants and animals. It so much deserves to be protected and well managed.

A clear advantage of national designation is; it will put the Gorge on the map. The prestige of national recognition will attract visitors to resorts in the area. The potential for success here is excellent.

I regret that I cannot testify in person at your hearing on March 25, 1983, but unfortunately, it is not possible to offer support for the National Scenic Area in public without jeopardising chances for approval of permits necessary for my project from the City of North Bonneville.

1422 East Burnside Portland, Oregon 97214 232-7498

AUDIO
SCHOOL OF LANGUAGES®

Page Two, TESTIMONY, Senator Hatfield

I have been surprised by the indifference to the beauty of the Gorge by local residents and I am shocked, too, at the great amount of poaching of animals that goes on all around my proposed resort. Stability and good management are badly needed. This area will not attract worthwhile projects if the climate for business does not change. The clear direction provided by the National Scenic Area legislation will provide that change.

The Columbia Gorge is very badly in need of the protection and management offered in SB 627. Thank you for your leadership in advocating the National Scenic Area.

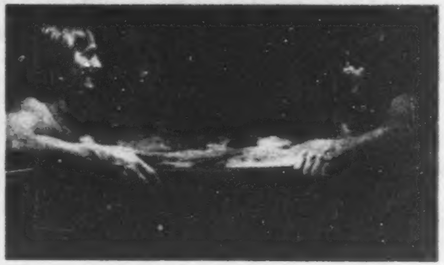
Respectfully submitted,

Roger Vadim Krijanovsky

RK/klh
encl 1

1422 East Burnside Portland, Oregon 97214 232-7498

BIBA HOT SPRINGS



Our Famous Water

Long ago the Northwest Indians, knowing of the water's curative powers, journeyed to the springs for rejuvenation and physical healing. In the 1880's the hot springs were rediscovered, and the refreshing water was bottled on the site and sold throughout the western states. An article in the Oregon Native Son (Oct. 1900) reported it to be "the best of waters for kidney complaints, dyspepsia, rheumatism, dropsy and general debility." Encouraged by its growing popularity, owner Thomas Moffett opened a hotel and bathhouse by the springs and operated it for many years as the Moffett Hot Springs.

Today, the gentle 96 degree water flows freely into an Olympic-sized swimming pool, several hot tubs, a Jacuzzi and a sauna. It is also piped into the several buildings, campground, recreational vehicle area and greenhouses.

The continuously flowing healing waters pervade the entire-environment at Biba Hot Springs, creating an atmosphere of relaxation, contemplation and serenity, gently urging visitors toward an attitude of increased mind-body harmony and health.

Alternative Energy Use

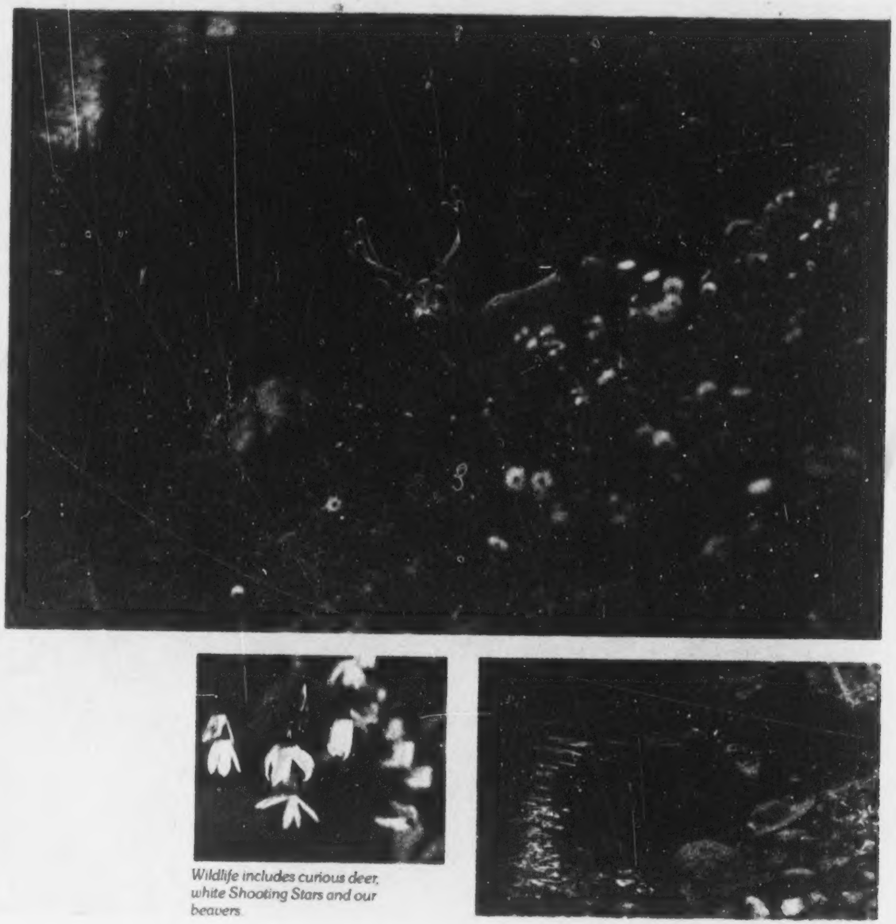
In our desire to live lightly on the earth, Biba Hot Springs promotes the research and utilization of natural energy sources for power: sun, wind, water and hot springs themselves.

Wildlife Sanctuary

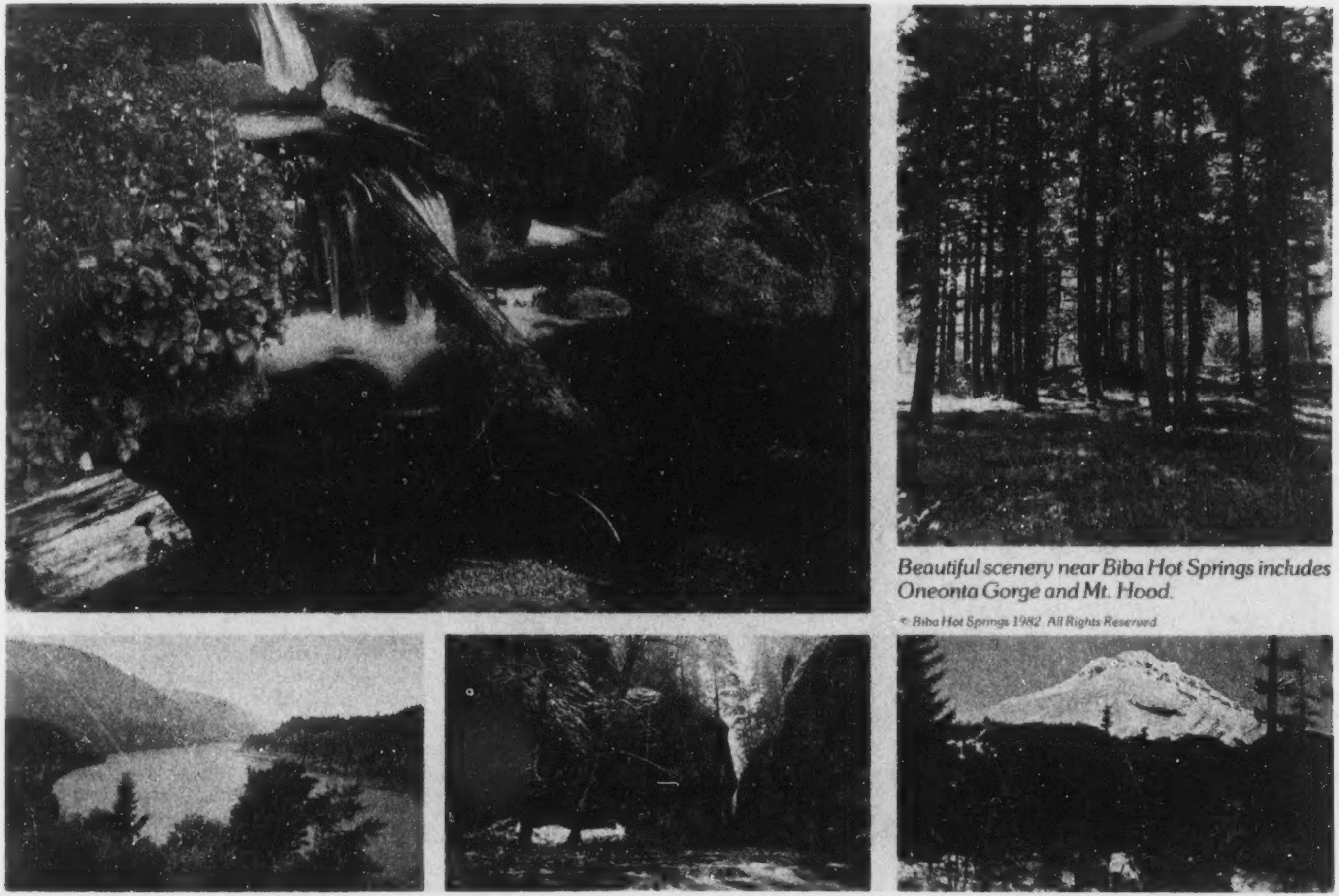
At Biba we seek to preserve our inherited environment and to heighten public environmental awareness. Our protected forests and streams abound with deer, raccoons, beaver, osprey and the beautiful blue herons. This commitment began in mid-1982 with the rescue and release of 38 captive beavers, who are now happily building their new homes in safety. The entire western portion of the land is reserved as a wildlife sanctuary. Naturally, logging, hunting and fishing are not permitted.

Personal Development Programs

A wide range of health enhancement classes and services are offered. These extend from holistically oriented traditional practices, such as stress reduction, diet and physical exercise; through movement, massage and other body-related arts such as dance, yoga, Tai-Chi and structural integration; to counseling, gestalt, meditation and the intuitive sciences. Our unique program synthesizes the best of Western medical practice with Eastern healing philosophies. Biba's professional staff includes a cadre of experienced teachers and therapists in a variety of disciplines. All programs emphasize the expansion of individual self-awareness and the personal acceptance of increasingly greater responsibility for one's own health.

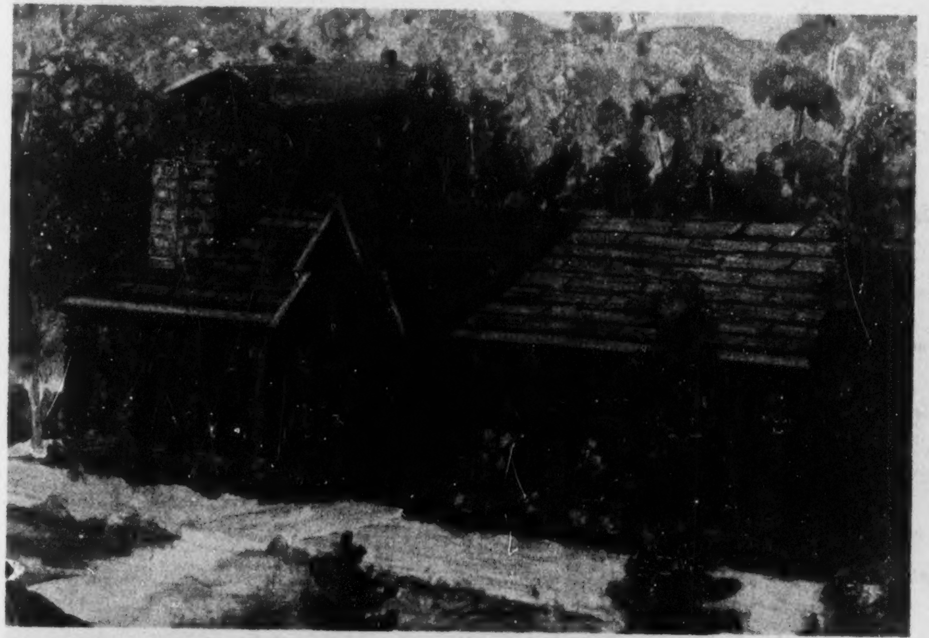


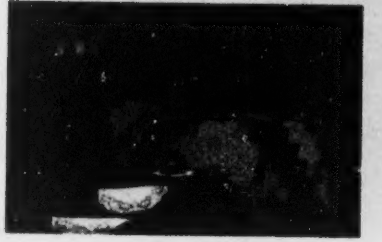
Wildlife includes curious deer, white Shooting Stars and our beavers.



Beautiful scenery near Biba Hot Springs includes Oneonta Gorge and Mt. Hood.

© Biba Hot Springs 1982 All Rights Reserved





Accommodations and Meals

Nestled among the trees, our unique logwood guest lodges and individual cabins include twin and double beds, private baths, and fireplaces. Several rooms feature private hot tubs. Dormitory rooms holding up to 8 persons are available for groups. Campsites and recreational vehicle hookups are provided on secluded sites in Biba's spacious campground.

Biba serves delicious French, gourmet vegetarian meals, healthfully balanced to facilitate spiritual practice. Most food is prepared from fresh, in-season ingredients grown organically in our own gardens and geothermal greenhouses. Of course, Biba's clear, pure mineral water is served with every meal. We ask that no smoking, alcohol or drugs be consumed at Biba Hot Springs.

Conference Facilities

Meeting, lodging and dining facilities accommodate up to 150 guests for conferences, workshops, seminars and group retreats. Large gatherings can be held in the impressive, circular community hall, while space for smaller meetings can be reserved in common rooms in the other buildings. In keeping with our philosophy of living harmoniously with nature, most of our buildings are constructed with logs recovered from the slopes of Mt. St. Helens.

CASCADE LOCKS
PORTLAND

Directions to Biba Hot Springs

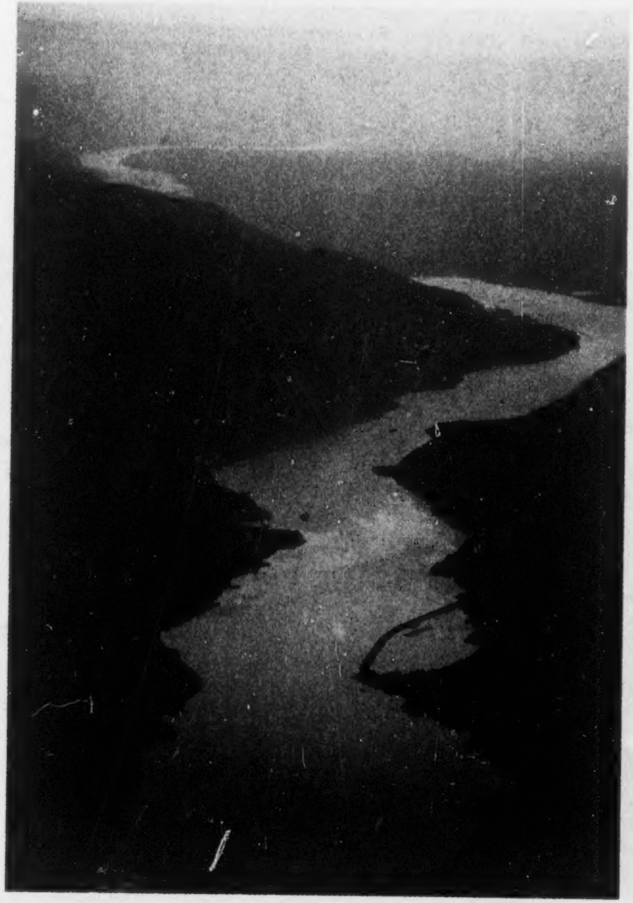
Located just 40 miles east of Portland, Biba Hot Springs is ½ mile north of North Bonneville, Washington and the Columbia River.

Open all year, we invite you to join our on-going classes and workshops or simply relax in the hot springs and enjoy the peaceful countryside. For more information regarding our classes, accommodations and prices, please write us at:

Biba Hot Springs
One Cascade Drive
North Bonneville, Washington 98639

GRAND
OPENING
SPRING
1984

Biba's unique Community Building



Scenic Recreational Area

Your stay here is more than a retreat, it's a feast for the senses. The Columbia River Gorge's spectacular scenery of lush green valleys and mountains surround Biba Hot Springs. Explore the Beacon Rock monolith, Multnomah Falls, Indian petroglyphs, Mt. Hood, the Maryhill Museum and the full-sized replica of Stonehenge. If you are hiking, the Pacific Crest Trail passes just ½ mile north of Biba's. Nearby outdoor recreation includes scenic river cruises, golf, National Forest hiking trails, camping and watersports. Come experience our beautiful countryside and create lasting memories.

Columbia River and Indian petroglyphs.

Columbia River at Dog Mountain

Biba Hot Springs

Biba Hot Springs is a holistic healing retreat and wildlife sanctuary, surrounded by the breathtaking beauty of the famous Columbia River Gorge in the Pacific Northwest. Blessed with artesian hot springs and fifty acres of cool forest, Biba lies at the foot of the Cascade Range. Biba is a place of tranquility and peace—so peaceful you can hear the rush of crystal-clear waters and the wind's spirited song whispering through the tall evergreens. Biba offers you the unique opportunity to explore and experience a new way of living, where inner peace can be found in harmony with nature. Open to all, Biba is non-sectarian, and is dedicated to those searching for greater self-knowledge and a richer, more harmonious bonding with the highest creative forces.

JONES
&
JONES

233 S.W. FRONT AVE.
PORTLAND, OR 97204
(503) 241-3810

ARCHITECTS
LANDSCAPE ARCHITECTS

7 April 1983

The Honorable Mark Hatfield
114 Pioneer Courthouse
Portland, OR 97204

Dear Senator Hatfield:

A tremendous amount has been written about the Gorge, historically, scientifically, and politically. Yet today, divergent views on the real values and future planning needs of the Gorge are stronger than ever in its history. Ironically, the controversy has had the effect of submerging many common concerns and interests on both sides.

There are few who would disagree with the statement that the Gorge is unique and beautiful. There is further general concurrance that development must be controlled to avoid significant adverse impacts on the visual and environmental quality of the area.

The major divergence of view occurs over the degree of preservation or development that will protect the scenic character and quality of the Gorge. Several steps are necessary in defining the issues and developing a concensus on the extent of the problems, as well as establishing a program to deal with the problems. These are:

1. Identify and understand the resource;
2. Identify the potential for change;
3. Establish criteria or goals relating to what needs to be accomplished;
4. Evaluate alternative means to accomplish goals;
5. Determine most appropriate action or actions needed;
6. Implement the program through appropriate action.

The JONES & JONES study for the State of Washington and the Washington Columbia River Gorge Commission deals with the first three steps in the action program - to understand the resource, identify chance of change, and suggest criteria and goals regarding the visual quality of the Gorge.

It is obvious that a substantial amount of development could occur in the Gorge. The potential impact of this development is dependent upon several factors including both landscape characteristics (such as landform and vegetation), and development characteristics (such as location, density, and architectural style). The huge scale of the Gorge may allow for economic development to occur with minimal impact if sensitively done. Unfortunately, the contrary is also true in that a relatively small amount of development can have a very significant impact upon the scenic qualities of the Gorge if little attention is given to its compatibility with the surrounding landscape.

The only question with an answer that is yet unclear is how rapidly this development will occur. There is no question, in our view, that development will occur, even if only as a spinoff of Vancouver and Portland population pressures.

One of the most critical elements in establishing and management direction for the Gorge is a concurrance on a goal or criteria by which action programs can be set and implemented. This element needs to be clearly addressed by any management entity with a role in the Gorge. The visual management options are:

- Selective Management: Identify and manage only those key areas or specific sites which offer the highest values of visual, environmental, or recreational quality.
- General Management: Identify general visual guidelines for the entire Gorge which would provide uniform standards to minimize adverst impacts
- Combination of selective and general management

The JONES & JONES study identified a preliminary set of criteria which, if applied to lands in the Gorge, would identify critical areas for visual management. Suggested criteria for the selection of critical lands include:

Visual prominence
Visual quality
Significant features

Development potential
Development contrast

Any future management program will need to adopt a system that properly reflects the goals and criteria adopted. These include:

1. Clear delineation of purpose
2. Identification of management objectives for very critical, critical, and non-critical lands
3. Recognize the influence of additional factors beyond the influence of local governments (i.e., state and federal lands, highways, dams, powerlines, dredge spoils, railroads)
4. Utilize local initiative and authority wherever possible, but provide for the involvement and resources of state and federal governments in addressing those management needs of a regional nature
5. Provide a mechanism to identify and direct the many and sometimes divergent funding sources which are, and will continue to, affect the Gorge

While a great deal of more detalied study still remains, we feel there is a strong common concern about protecting the scenic qualities of the Gorge on the part of all interest groups represented at the many public hearings which have been held. Hopefully, our study has helped to identify those common concerns in a manner that will facilitate the important task of promoting a cooperative effort to guide the future of the Gorge.

Sincerely,

Keith B. Larson,
Principal

THOMAS S. STEVENSON
P. O. Box 796
White Salmon, Washington 98672

April 8, 1983

Senator Mark O. Hatfield
463 Russell Senate Building
Washington, D. C. 20510

Dear Senator Hatfield:

This letter is in reference to the proposed Senate Bill 627 which authorizes the establishment of a National Scenic area within the Columbia River Gorge.

Much fine testimony has been offered by concerned citizens and municipalities for record in Senator Hatfield's hearing and Senator Gorton's town meetings. Most, if not all, citizens living within the proposed Gorge Scenic "Area" are fiercely against federal involvement in the Gorge. Exemplifying the problems of federal involvement is one basic inequity that sticks out when the boundaries between federal and local control are drawn. This letter will try to point out this inequity.

In its attempt to establish an area of jurisdiction, the Columbia River Gorge Act of 1983 states 3(b)3. The incorporated towns and cities of The Dalles, Hood River, White Salmon, Bingen, Cascade Locks, Stevenson, Washougal, Mosier and North Bonneville, as their boundaries (including any specific urban growth boundary which has been expressly approved by the applicable state) existed on July 1, 1981, shall not be included within the boundaries of the area. The inequity lies in the term urban growth boundary (UGB). Oregon has a UGB and Washington does not.

On the one hand, a city boundary in Oregon whose UGB has been approved is of a size suitable for expansion to the year 2000, while a similarly affected city in Washington may have an incorporated city limits that surrounds only half of its population area. In a nutshell, you have an Oregon city whose city limits reflect growth to the year 2000 and a Washington city whose city limits reflect growth passed in 1950.

In any plan to unify the Columbia River Gorge, one must attempt to combine the disparate laws of two neighboring states. In this example, there is no urban growth boundary in Washington planning statutes. But cities in Washington are also planning for future growth. For instance, Washougal, Washington has an Urban Services Boundary. This boundary represents future service needs, predicted future city growth. Urban Grown Boundary or Urban Services Boundary, the terminology is different, the eventual aim is the same, but S627 allows only expressly approved urban growth boundaries, otherwise limiting those cities in Washington to the existing city boundaries.

Clearly S627 is an attempt to restrict local control as much as possible. Citizens and municipalities within the Gorge are in a "no win" situation when federal involvement is thrust upon them, but they must be treated fairly if any cooperation is to be accomplished.

S627 is an inequitable bill, discriminating against those cities within the Gorge without urban growth boundaries. As long as this inequity stands, there can be no cooperation forthcoming.

Sincerely,

Thomas S. Stevenson

BURLINGTON NORTHERN RAILROAD

WILLIAM W. FRANCIS
Vice President-General Manager
Seattle-Portland Region

800 Central Building
Seattle, Washington 98104

The Honorable Mark O. Hatfield
United States Senate
463 Russell Senate Office Building
Washington, DC 20510

March 23, 1983

Dear Senator Hatfield:

I am pleased to submit for the record of the Energy and Natural Resources Committee town meeting at Hood River, the views of the Burlington Northern Railroad. We hope that these hearings will contribute to the preservation of the exceptional scenic and cultural resources of the Columbia River Gorge. We support efforts to strike a balance between this important goal and continued responsible use of the economic resources and facilities in the area. Our interest in the Gorge and any legislation which would affect it stems from our operation of main line trackage passing through the Gorge on the north bank of the river. That line, which is our primary access to many principal cities in Oregon and Washington -- including Portland, Eugene, Albany, Salem, Astoria, Vancouver and Longview-- carries in excess of 25 million gross tons each year along the Gorge.

We anticipate growth in this traffic in the future. Burlington Northern currently is negotiating for sizeable coal export agreements with Pacific Rim nations in partnership with port interests on the Columbia River and elsewhere along the Pacific Coast in Washington and Oregon. We also anticipate growth in the export of grain from these ports. Additionally, we are working to increase the movement of trailer and container "piggyback" traffic, all of which would add further to traffic on the line. At some point more sidings or a second track will be required along the existing main line to accommodate the traffic growth.

The interests of the railroad -- and we believe the interests of both states and their shippers -- would be to provide for such expansion and reasonable provision for modifications and improvements within any new protective regime. For example, in some instances, additional right-of-way adjacent to existing track might be required for increasing main line capacity. Similarly, legislation should not restrict the ability to quickly repair damage to track, bridges or other structures and facilities vital to safe and economic operations. We believe that it is possible to accommodate these needs while maintaining the existing character of the landscape of the Gorge.

The Honorable Mark O. Hatfield
Page 2
March 23, 1983

We have not yet reviewed legislation proposed in the 98th Congress. However, in the last Congress we monitored the progress of the two Columbia River Gorge Bills S-2318 and S-2319 and we were encouraged by the recognition in both bills that commercial and economic activity -- including transportation -- were cited as important historic functions in the Gorge and that those functions can be compatible with preserving its natural beauty. Based on our review of those bills, we would offer two points for any new legislation: First, railroad rights-of-way and other properties essential to rail transportation should not be included in a "critical" category which would prohibit or complicate the conduct of maintenance and repairs.

Second, if the Gorge is to be placed under the aegis of a Management Plan, the expansion and improvement of railroad properties should not be subject to undue restrictions. One way to recognize and protect the unique situation of the railroad as a common carrier, benefiting the public in both states, would be to highlight this special circumstance in the Findings and Purposes section of a new bill. For example, in the two Senate bills cited earlier we recommend changing the relevant sections to read:

> (4) to protect and perpetuate the existing economy of the Columbia River Gorge including agriculture, fishing, rail transportation facilities, existing hydroelectric facilities, timber utilization, and the character of human habitation, in harmony with the existing visual landscape...
>
> (New material underscored. Section 2(b)(4) in both bills.)

Measured against its affects on air and water, as well as upon visual impact, rail transportation is probably the least obtrusive mode of surface transportation -- completely in tune with the balance both bills would achieve between preservation of this majestic canyon's beauty on the one hand and continued vital economic activity on the other.

I appreciate the opportunity to present the Burlington Northern Railroad's views, and I ask that this letter be included in the record.

Sincerely,

Francis

604 East Scenic Drive
The Dalles,Oregon
March 22, 1983

Senator Mark Hatfield
463 Russell Bldg.
Washington, DC

Senator Mark Hatfield

Dear Senator:

The Sierra Club's letter is before me and I do congratulate you on you and Senator Packwood' bill to Create a National Scenic Area administered by the U,S. Forest Service and a 14 member Regional Commission. I also commend Congressman Les Aucoin , Jim Weaver for considering the beauty and Esthetic value to all people who travel and behold this beauty.

The Gorge is so worthy of preservation. Several years ago when I had cancer I had to travel to Portland often for "check-ups" and treatments. I assure you the very trip with such exotic beauty, color and diversity of terrain is a joy to behold forever. Instead of being a burden to travel several hundred miles it was real therapy.

Believe me we need this beauty, serenity, and dignity the quiet woods, river, dogwood, and beautiful nature so few ever have a chance to enjoy in the busy rush of cement and noise of the city. I do hopemy plea can be included in the hearing records.

Thank you so much.

Margret Flynn

Vicky Bergath
7570 S. W. 140th
Beaverton, OR 97005
March 22, 1983

The Honorable Mark Hatfield
Senate Office Bldg.
Washington, D. C. 20510

Dear Senator Hatfield:

Would you please include my letter in the hearings records regarding the Columbia River Gorge National Scenic Area Bill. I would appreciate it very much.

I would like to ask that you support the Packwood/Hatfield bill (S627) because it would protect the Columbia River Gorge and strengthen the economy of the Gorge area. This bill represents a fair compromise between the need for scenic protection and economic development/private property rights protection.

Thank you for your time and attention to this matter.

Sincerely,

Vicky Bergath

Vicky Bergath

REV. JAMES A. THOMPSON
10190 S. MACKSBURG ROAD
CANBY, OREGON 97013

March 22, 1983

Senator Mark Hatfield
Senate Office Bldg.
Washington D.C. 20510

Dear Senator Hatfield:

I am writing to express support for Senate Bill S627. This compromise proposal adequately safeguards the magnificent natural resource that is the Columbia River Gorge. In doing so it also protects the tourist industry, a vital part of the economic life of this region. At the same time, S627 gives adequate encouragement to economic development and helps ensure that such development will go forward in a well-planned manner that will protect the human resources of the gorge, the existence of healthy, vital and close-knit communities.

Although I cannot be present at the Columbia Gorge hearings, I ask that my views be included in the record.

Thank you

Jim Thompson

2533 SE 28th Place
Portland, Oregon 97202

March 24, 1983

Senator Mark Hatfield
Senate Office Bldg.
Washington, D.C.

Dear Senator Hatfield:

In 1968, when I came to Oregon for the first time, I sat in the car in awed silence as I watched the gorge of the Columbia open before me, I was incredulous at the transformation of the dry eastern plateau to the green Cascade forest. In these last fifteen years I have driven both the interstate and the scenic highways, and I have hiked many of the trails on the Oregon side. I am still awed by this great river crossing this great mountain range. I have enjoyed the beauty of the Columbia Gorge alone, with friends, and with children, and have always trusted that they will be able to do the same. In addition to its scenic value, the gorge possesses great historic and geologic value, its steep walls exposing the layers of our past.

As our cities continue to grow, the pressure on nearby land increases. In this recession, I can certainly understand the feelings of those who would use any available lands for much needed economic benefit. However, development, which must and will occur, must be confined within planned urban areas, and be restricted in order to protect the fragile ecosystem in which we live.

The Columbia River Gorge National Acenic Area Bill would protect the special values of the gorge, set standards for appropriate development, and provide economic benefit in the form of tourism. I therefore support passage of this bill (S627). Please include this letter in the hearings record.

Sincerely,

Beverly B. Lipsitz

March 24, 1983

FRANK B. PACKARD, M.D.
~~XXXXXXXXXX~~ 16 NE Sandy Dell Road
TROUTDALE, OREGON 97060
TEL. (503) 665-8690

Hon. Mark Hatfield
United States Senate,
Washington, D.C.

Re: S627, Columbia River
Gorge Nat'l. Scenic Area

Dear Senator Hatfield:

My first glimpse of Multnomah Falls was from a window of the Union Pacific "Portland Rose" on its first run from Chicago to Portland in Sept. 1925. My wife first experienced the thrill of the Gorge on a motor trip over the then new Columbia River Highway in 1921. Subsequently we have lived 50 years near it, the last 13 here at "The Gateway to the Columbia Gorge."

Many beautiful spots in the Gorge have been places for happy family visitation and proud exhibition to visiting relatives and friends. We are therefor totally in favor of whatever actions that will best protect this priceless natural treasure and preserve its unique values for the future.

Because of the many disparate agencies and forces which are concerned and actively engaged in considering this issue, and especially because of the philosophical and functional differences among the two states and numerous local jurisdictions, an over-all Federal control of this scenic wonderland is the best solution for its administrative care. We heartilly endorse the passage of S627 for the establishment of a Columbia River Gorge National Scenic Area.

Since we are unable to attend the public hearing scheduled for March 25th in Portland, we request that these comments be included in the hearings records.

Sincerely,
FB Packard
Frank B. Packard

Copies to: Reps. Sid Morrison and Don Bonkers of Washington, and Don Wyden of Oregon.

ROBERT L. BURNS
ATTORNEY AT LAW
515 N. E. ROBERTS
P. O. BOX 676
GRESHAM, OREGON 97030
TELEPHONE (503) 665-9148

March 24, 1983

Honorable Senator Mark Hatfield
Senate Office Building
Washington, DC 20510

Dear Senator Hatfield:

I would request you enclose this letter in the record of the hearing on the Columbia Gorge National Scenic Area Bill (S627) as in support of that Bill.

I am a member of the Sierra Club, and have been following with interest the debate on the future of the gorge, and in addition, own property in the Wauna Lake Club between Stevenson and North Bonneville.

I feel that while they express intent to preserve the scenic values of the gorge, Skamania County planning officials would be subject to the pressure for local development to assist their friends and neighbors in commercial ventures which would destroy the scenic value of the gorge. In fact, I am aware of several proposed commercial enterprises in the area of Stevenson which would detract from the scenic value of the area and the proponents of these enterprises are certainly advocating local control and spreading a litany of horror stories from "Federal Control".

While I hesitate to advocate increased Federal Control over anything, the pressure on local planning commissions would be so great in the area of such a unique scenic resource, it would be stupid not to recognize that and remove the authority to make their own rules, and evaluate any proposed development within the gorge as being within those rules, so as to cast upon persons that do not agree with that development, the job of halting that development by legal action or otherwise.

Very truly yours,

Robert L. Burns

Robert L. Burns

RLB:srb

cc: Ron Wyden

GENERAL COUNCIL
and
BOARD of TRUSTEES

CONFEDERATED TRIBES
of the
Umatilla Indian Reservation
P.O. Box 638
PENDLETON, OREGON 97801
Area Code (503) Phone 276-3165

April 5, 1983

Senator Mark Hatfield
Hart Senate Office Bldg.
Suite 322
Washington, D.C. 20510

RE: S.627 - Columbia River Gorge Legislation

Dear Senator Hatfield:

The Confederated Tribes of the Umatilla Indian Reservation would like to take this opportunity to submit comments to you on S.627. The Tribe appreciates your decision to hold open the record of the March 28, 1983, hearing on this legislation, for two weeks so that the Tribe could present these concerns.

Overall, the Tribe favors legislation which would protect the Columbia River Gorge from development or activity which is inconsistent with the many and varied interests of the Tribe in the gorge resources. The Tribe concurs in the testimony presented by Levi George at the March 28 hearing.

As you are aware, the Tribe is party to the Treaty of 1855 with the United States. This Treaty reserved to the Tribe and its members the following rights:

(1) The right of access to usual and accustomed fishing stations throughout the Gorge;

(2) The right to protect the fishery resources from activities that would degrade the fishery;

(3) The right to erect temporary structures for shelter and for curing and drying fish;

(4) The right to enforce tribal laws at usual and accustomed stations in the Gorge;

(5) The right to management of the Columbia River hydroelectric system which protects the fishery resource.

The Tribe would like to suggest that the S.627 be amended to acknowledge the significant interest the Tribe has in protecting the natural resources of the Gorge, stemming from its treaty reserved rights. Specifically the Tribe recommends:

(1) amendment of the purposes and findings in S.627 to stress the importance of protecting treaty rights, and to express the cultural, social, and economic need for protection of the Columbia River fish resources;

(2) providing for representation of appropriate Tribes on any proposed commission; and

(3) providing for protection of key salmon-producing tributaries in the gorge.

The Tribe believes strongly in comprehensive and coordinated planning to protect our vital natural resources. Great headway has been achieved toward this end with the enactment and continuing implementation of the Regional Power Act and the Salmon and Steelhead Enhancement Act. The Columbia Riber Gorge Legislation is a logical step in this process, and if amended in accordance with our comments, has the potential for being a vital element in on-going efforts to enhance and rebuild the resources of the Columbia River Basin.

Thank you again for entertaining these comments.

Sincerely,

CONFEDERATED TRIBES OF THE
UMATILLA INDIAN RESERVATION

Elwood H Patawa
Elwood H. Patawa, Chairman
Board of Trustees

cc: Governor Atiyeh
Columbia River Inter-Tribal Fish Commission

3204 NW 8th Avenue
Camas, Wa. 98607

March 23, 1983

The Honorable Henry Jackson
United States Senate
711 Hart-Senate Bldg.
Washington, D.C. 20510
Attn: Tom Williams

Dear Senator Jackson:

Attached is a statement that we submitted to the Committee at the hearing held by Oregon's Senator Packwood at The Dalles, Ore. on February 10th.

We offer this to emphasize our continued interest in legislation to control development in the Columbia River Gorge area.

Senator Hatfield and Senator Packwood are to be commended for introducing their bill (SB 2318 or S 627). It deserves the support of our Washington State delegation as well.

Sincerely

Chester T. Beals
Chester T. Beals

Marion L. Beals
Marion L. Beals

TO: CONGRESSIONAL COMMITTEE INVESTIGATING THE COLUMBIA GORGE DEVELOPMENT.

WE THE UNDERSIGNED FAVOR ENACTMENT OF EITHER BILL SB2318 OR 2319, WITH THEIR COMPANION HR COUNTERPARTS, WITH PREFERENCES FOR THE LATTER PAIR.

WE ARE LONG-TIME RESIDENTS OF CAMAS. CLOSE ENOUGH TO HAVE FIRST HAND AWARENESS OF DEVELOPMENTS WITHIN THE GORGE. WE APPRECIATE EVERY FACET OF THE GORGE AND WISH TO SEE IT PROTECTED FROM ADVERSE EXPLOITATION.

SPECIFICALLY, WE DO NOT WISH EXCESSIVE SCARRING FROM LOGGING OR GRAVEL MINING. NEW INDUSTRY, LIGHT OR HEAVY CAN BETTER BE LOCATED ELSEWHERE. HOUSING DEVELOPMENTS SHOULD BE UNDER RESTRICTED BUILDING CODES; TASTEFUL AND IN SPECIFIC AREAS. HIGH DENSITY HOUSING SHOULD NOT BE ALLOWED.

WE BELIEVE THAT THE NEARLY 50 JURISDICTIONS THAT ADMINISTER THE AREA WILL NEED A CENTRAL AGENCY FOR GUIDANCE AND CONTROL. THE LOCAL RESIDENTS AND PROPERTY OWNERS INTERESTS MUST BE PROTECTED, AS MUST THOSE OF THE OUTSIDER, WHO COMES TO ENJOY THE SCENIC VALUES.

WE BELIEVE THAT EITHER SB2318- HR6026 OR SB2319- HR 6001 CAN BE WRITTEN TO DO THE JOB.

Marion L Beals
MARION L. BEALS
Chester T. Beals
CHESTER T. BEALS

HOVIS, COCKRILL, WEAVER & BJUR
ATTORNEYS AND COUNSELORS
316 NORTH THIRD STREET
P. O. BOX 487
YAKIMA, WASHINGTON 98907

JAMES B. HOVIS
LEONARD M. COCKRILL
PAT COCKRILL
TIM WEAVER
R. WAYNE BJUR

TELEPHONE
575-1500
AREA CODE 509

April 5, 1983

Honorable Mark O. Hatfield
Senate Energy and Natural
  Resources Committee
United States Senate
Washington, D.C. 20510

Attention: Tony Bevinetto

Dear Senator Hatfield:

This office represents the Confederated Tribes and Bands of the Yakima Indian Nation and on behalf of the Yakima Nation I would like to thank you for the opportunity to submit testimony regarding Senate Bill 672, legislation to provide management of Columbia River gorge lands.

As indicated in testimony provided by the Columbia River Inter-Tribal Fish Commission, the area of the Columbia River gorge designated in S. 672 is the ancestral home of many of the tribes and bands which comprise the Yakima Indian Nation. As you are aware, the Yakima Indian Nation and other treaty fishing tribes of the Columbia River and its tributaries reserved certain rights in treaties with the United States. Many of those rights create responsibilities of local, state and federal agencies in the Columbia River gorge. In order to ensure that those rights are protected and actuated by any Gorge legislation passed in this Congress, representatives of the concerned tribal governments will be meeting on April 9 to discuss this legislation and possible changes which will accomplish their purposes.

You may be assured that we will keep you informed.

Sincerely yours,

HOVIS, COCKRILL, WEAVER & BJUR

Tim Weaver

Tim Weaver
TW:jrs
cc: Tom Imeson

REALTOR®

OREGON ASSOCIATION OF REALTORS®

Executive Offices:
694 Church St. N.E.
P.O. Box 351, Salem, Oregon 97308
Telephone (503) 362-3645
1-800-452-9115

March 31, 1983

Senator Mark Hatfield
c/o Tom Imeson
114 Pioneer Courthouse
Portland, Oregon 97204

Good Morning Senator Hatfield,

I want to take this opportunity, on behalf of the Oregon Association of REALTORS, to express our concern regarding S2318 and S2319 to place federal control over the Columbia Gorge.

We believe the proposed legislation will create serious conflicts with existing efforts by the State of Oregon to preserve the Columbia Gorge and other natural resources.

Oregon has been nationally recognized for our land use planning efforts. Legislation adopted in 1973 states, "Uncoordinated use of lands within this state threaten the orderly development, the environment of this state and the health, safety, order, convenience, prosperity and welfare of the people of this state. The Legislative Assembly declares that, in order to assure the highest possible level of liveability in Oregon, it is necessary to provide for properly prepared and coordinated comprehensive plans for cities and counties, regional areas and the state as a whole."

The Land Conservation and Development Department was created by the legislature to implement the law. The department adopted 19 goals to ensure our unique natural resources, including the Oregon side of the gorge, are not threatened.

The preservation of the Columbia Gorge is specifically addressed in Goal 5 which requires all local comprehensive plans "to conserve open space and protect natural and scenic resources." I have enclosed a copy of the goals for your review. The goals clearly illustrate we have already met our responsibility to preserve the gorge. Any federal legislation will conflict with land use planning efforts and create confusion and delays.

A focal point in the conflict is the creation in S2318 of a management plan to "designate appropriate uses of all lands within the area in order to achieve the purposes of this act." The plan would provide for review of all local and state plans, moratoriums on new uses in critical lands and prohibition on inconsistent uses.

REALTOR®—is a registered mark which identifies a professional in real estate who subscribes to a strict Code of Ethics as a member of the NATIONAL ASSOCIATION OF REALTORS.

Sen. Mark Hatfield
March 31, 1983
Page 2

The management plan will conflict directly with H.B. 2295 under current consideration by the Oregon Legislature. The bill is designed to ensure all comprehensive plans of local governments are completed by July 1, 1984. Any federal legislation to supercede our efforts will further delay a goal Oregon solons have struggled with for seven years.

S2318 will have an adverse impact on private property rights for Oregonians within the jurisdictional boundaries of the bill. Federal reviews, moratoriums and prohibitions will further delay many citizens ability to sell or purchase property because of the uncertainty on the permitted uses for the property.

In conclusion, Senator Hatfield, we would ask you to reconsider your support for S2318 and S2319. Oregon has lead the nation on preservation of our natural resources. We should not be penalized by the federal government for having met our responsibilities in preserving the Columbia River Gorge. Thank you.

Sincerely,

Brad Morris
Director of Governmental Affairs

JBM/sl
Enclosure

Oregon Land Conservation And Development Commission

STATEWIDE PLANNING GOALS and Guidelines

1175 Court Street N.E., Salem, OR 97310
Address Correction Requested
Return Postage Guaranteed

INTRODUCTION TO THE GOALS and Guidelines

Comprehensive Plans and Statewide Goals

Comprehensive plans in Oregon carry out statewide planning goals. The 19 goals in this tabloid were adopted after extensive citizen involvement in public workshops and hearings. The goals are regulations to be followed by citizens and governments. In Oregon, goals are applied and implemented through a comprehensive plan.

Guidelines are not mandatory. They are suggested directions for local governments to consider when developing comprehensive plans and applying the goals.

What is a Comprehensive Plan?

A comprehensive plan is a set of public decisions dealing with how the land, air and water resources of an area are to be used or not used. These decisions are reached after considering the present and future of an area.

Being comprehensive in scope, the plan provides for all the resources, uses, public facilities and services in an area. It also incorporates the plans and programs of the various governmental units into a single management tool for the planning area.

Developing Comprehensive Plans

Citizens of a planning area and public officials gather information on roads, sewers, schools, parks, agricultural lands, employment, housing, geologic hazards, natural resources, recreation and other topics in the development of the comprehensive plan. Using this information, problems are sorted through, alternative solutions considered, and decisions made.

At the same time, citizens and public officials consider various plans and programs affecting their area such as the highway system, or economic plans for the region. By working together, cities, counties, special districts and state and federal agencies coordinate their plans to avoid conflicts.

As citizens and officials ask questions, locate information, find answers and make choices, the statewide goals are to be considered. Goals express the concerns Oregonians want addressed in comprehensive plans. The goal requirements represent issues to be included among other more local concerns being addressed by the plan.

Comprehensive Plans— Simple or Complex?

It is important to realize that a comprehensive plan for a small community that is experiencing relatively few problems, a slow rate of growth or little change, may be quite simple. A more extensive comprehensive plan will probably be required for larger communities that are facing many problems, rapid growth or where there are many changes taking place.

Comprehensive Plans And Citizen Involvement

For a comprehensive plan to truly reflect the nature of an area, people with personal knowledge and background must be involved in the development of the plan. Citizen involvement will aid in resolving any conflicts or overlapping of the statewide goals that may exist when the goals are applied through the comprehensive plan. Residents of an area can usually best determine how to resolve these problems by reviewing the facts and considering the various alternatives available and their consequences.

The result of all these actions will be a comprehensive plan that meets the needs and desires of the people, complements plans elsewhere in the state, and carries out the statewide goals.

FOR MORE INFORMATION

If you would like more information concerning Oregon's comprehensive planning program, contact:

Oregon Department
of Land Conservation
and Development
1175 Court Street N.E.
Salem, OR 97310
PH: 378-4926

The preparation of this publication of statewide planning goals was financed in part through a Comprehensive Planning Grant from the Department of Housing and Urban Development under the provisions of Section 701 of the Housing Act of 1954, as amended, and in part by a Program Development Grant from the Office of Coastal Zone Management of the National Oceanic and Atmospheric Administration under provisions of Section 305 of the Coastal Zone Management Act of 1972, as amended.

TABLE OF CONTENTS

Page
Introduction to the Goals and Guidelines .... Cover
1. Citizen Involvement 3
2. Land Use Planning 4-5
3. Agricultural Lands 6
4. Forest Lands 6
5. Open Spaces, Scenic and Historic Areas, and Natural Resources 7
6. Air, Water and Land Resources Quality .. 8
7. Areas Subject to Natural Disasters and Hazards 8
8. Recreational Needs 9
9. Economy of the State 9
10. Housing 10
11. Public Facilities and Services 10
12. Transportation 11
13. Energy Conservation 11
14. Urbanization 12
15. Willamette River Greenway 12-15
16. Estuarine Resources 15-17
17. Coastal Shorelands 18-19
18. Beaches and Dunes 20
19. Ocean Resources 21-22
Definitions 23-24

Goals 1-14 .... Adopted December 27, 1974
Goal 15 .... Adopted December 6, 1975
Goals 16-19 .... Adopted December 18, 1976

3/80

1. CITIZEN INVOLVEMENT

GOAL: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies and special purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities:

The citizen involvement program shall incorporate the following components:

1. **Citizen Involvement** — To provide for widespread citizen involvement.

   The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized citizen advisory committee or committees broadly representative of geographic areas and interests related to land use and land use decisions. Citizen advisory committee members shall be selected by an open, well-publicized public process.

   The citizen advisory committee shall be responsible for: assisting the governing body with the development of a program that promotes and enhances citizen involvement in land use planning, assisting in the implementation of the citizen involvement program and evaluating the process being used for citizen involvement.

   If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Convervation and Development Commission for the State Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is used, its members shall be selected by an open, well publicized public process.

2. **Communication** — To assure effective two-way communication with citizens.

   Mechanisms shall be established which provide for effective communication between citizens and elected and appointed officials.

3. **Citizen Influence** — To provide the opportunity for citizens to be involved in all phases of the planning process.

   Citizens shall have the opportunity to be involved in the phases of the planning process as set forth and defined in the goal and guidelines for Land Use Planning, including Preparation of Plans and Implementation Measures, Plan Content, Plan Adoption, Minor Changes and Major Revisions in the Plan and Implementation Measures.

4. **Technical Information** — To assure that technical information is available in an understandable form.

   Information necessary to reach policy decisions shall be available in a simplified, understandable form.

   Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other location open to the public.

5. **Feedback Mechanisms** — To assure that citizens will receive a response from policymakers.

   Recommendations resulting from the citizen involvement program shall be retained and made available for public assessment. Citizens who have participated in this program shall receive a response from policymakers. The rationale used to reach land use policy decisions shall be available in the form of a written record.

6. **Financial Support** — To insure funding for the citizen involvement program.

   Adequate human, financial and informational resources shall be allocated for the citizen involvement program. These allocations shall be an integral component of the planning budget. The governing body shall be responsible for obtaining and providing these resources.

GUIDELINES FOR CITIZEN INVOLVEMENT GOALS

1. CITIZEN INVOLVEMENT

A. A program for stimulating citizen involvement should be developed using a range of available media (including television, radio, newspapers, mailings and meetings).

B. Universities, colleges, community colleges, secondary and primary educational institutions and other agencies and institutions with interests in land use planning should provide information on land use education to citizens, as well as develop and offer courses in land use education which provide for a diversity of educational backgrounds in land use planning.

C. In the selection of members for the Citizen Advisory Committee, the following selection process should be observed: citizens should receive notice they can understand of the opportunity to serve on citizen advisory committees; citizen advisory committee appointees should receive official notification of their selection; and, citizen advisory committee appointments should be well publicized.

2. COMMUNICATION

A. Newsletters, mailings, posters, mailback questionnaires, and other available media should be used in the citizen involvement program.

3. CITIZEN INFLUENCE

A. **Data Collection** — The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

B. **Plan Preparation** — The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines and evaluate alternative land conservation and development plans for the preparation of the comprehensive land use plans.

C. **Adoption Process** — The general public, through the local citizen involvement programs, should have the opportunity to review and recommend change to the proposed comprehensive land use plans prior to the public hearing process to adopt comprehensive land use plans.

D. **Implementation** — The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption and application of legislation that is needed to carry out a comprehensive land use plan.

   The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

E. **Evaluation** — The general public, through the local citizen involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

F. **Revision** — The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land use plans prior to the public hearing process to formally consider the proposed changes.

4. TECHNICAL INFORMATION

A. Agencies that either evaluate or implement public projects or programs (such as, but not limited to: road, sewer, water construction, transportation, subdivision studies and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.

B. Technical infomation should include, but not be limited to: energy, natural environment, political, legal, economic and social data and places of cultural significance, as well as those maps and photos necessary for effective planning.

5. FEEDBACK MECHANISM

A. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policymakers.

B. A process for quantifying and synthesizing citizen's attitudes should be developed and reported to the general public.

6. FINANCIAL SUPPORT

A. The level of funding and human resources allocated to the citizen involvement program should be sufficient to make citizen involvement an integral part of the planning process.

2.

LAND USE PLANNING

GOAL:
PART 1 · PLANNING: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS 197.705 through 197.795.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable state-wide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

Affected Governmental Units — are those local governments, state and federal agencies and special districts which have programs, land ownerships or responsibilities within the area included in the plan.

Comprehensive Plan — as defined in ORS 197.015 (4).

Coordinated — as defined in ORS 197.015 (4). Note: It is included in the definition of comprehensive plan.

Implementation Measures — are the means used to carry out the plan. These are of two general types: (1) management implementation measures such as ordinances, regulations or project plans, and (2) site or area specific implementation measures such as permits and grants for construction, construction of public facilities or provision of services.

Plans — as used here encompass all plans which guide land use decisions, including both comprehensive and single purpose plans of cities, counties, state and federal agencies and special districts.

PART II · EXCEPTIONS: When, during the application of the statewide goals to plans, it appears that it is not possible to apply the appropriate goal to specific properties or situations, then each proposed exception to a goal shall be set forth during the plan preparation phases and also specifically noted in the notices of public hearing. The notices of hearing shall summarize the issues in an understandable and meaningful manner.

If the exception to the goal is adopted, then the compelling reasons and facts for that conclusion shall be completely set forth in the plan and shall include:

(a) Why these other uses should be provided for;
(b) What alternative locations within the area could be used for the proposed uses;
(c) What are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative use;
(d) A finding that the proposed uses will be compatible with other adjacent uses.

PART III · USE OF GUIDELINES: Governmental units shall review the guideline set forth for the goals and either utilize the guidelines or develop alternative means that will achieve the goals. All land use plans shall state how the guidelines or alternative means utilized achieve the goals.

Guidelines — are suggested directions that would aid local governments in activating the mandated goals. They are intended to be instructive, directional and positive, not limiting local government to a single course of action when some other course would achieve the same result. Above all, guidelines are not intended to be a grant of power to the state to carry out zoning from the state level under the guise of guidelines. (Guidelines or the alternative means selected by governmental bodies will be part of the Land Conservation and Development Commission's process of evaluating plans for compliance with goals).

GUIDELINES:

1. PREPARATION OF PLANS AND IMPLEMENTATION MEASURES

Preparation of plans and implementation measures should be based on a series of broad phases, proceeding from the very general identification of problems and issues to the specific provisions for dealing with these issues and for interrelating the various elements of the plan.

During each phase opportunities should be provided for review and comment by citizens and affected governmental units.

The various implementation measures which will be used to carry out the plan should be considered during each of the planning phases.

The number of phases needed will vary with the complexity and size of the area, number of people involved, other governmental units to be consulted, and availability of the necessary information.

Sufficient time should be alloted for:

(a) collection of the necessary factual information
(b) gradual refinement of the problems and issues and the alternative solutions and strategies for development
(c) desires and development of broad citizen support
(d) identification and resolution of possible conflicts with plans of affected governmental units.

2. REGIONAL, STATE AND FEDERAL PLAN CONFORMANCE

It is expected that regional, state and federal agency plans will conform to the comprehensive plans of cities and counties. Cities and counties are expected to take into account the regional, state and national needs. Regional, state and federal agencies are expected to make their needs known during the preparation and revision of city and county comprehensive plans. During the preparation of their plans, federal, state and regional agencies are expected to create opportunities for review and comment by cities and counties.

In the event existing plans are in conflict or an agreement cannot be reached during the plan preparation process, then the Land Conservation and Development Commission expects the affected governmental units to take steps to resolve the issues. If an agreement cannot be reached the appeals procedures in ORS Chapter 197 may be used.

3. PLAN CONTENT

A. Factual Basis for the Plan

Inventories and other forms of data are needed as the basis for the policies and other decisions set forth in the plan.

This factual base should include data on the following as they relate to the goals and other provisions of the plan:

(1) Natural resources, their capabilities and limitations
(2) Man-made structures and utilities, their location and condition
(3) Population and economic characteristics of the area
(4) Roles and responsibilities of governmental units.

B. Elements of the Plan

The following elements should be included in the plan:

(1) Applicable state-wide planning goals
(2) Any critical geographic area designated by the Legislature
(3) Elements that address any special needs or desires of the people in the area
(4) Time periods of the plan, reflecting the anticipated situation at appropriate future intervals.

All of the elements should fit together and relate to one another to form a consistent whole at all times.

4. FILING OF PLANS

City and county plans should be filed, but not recorded, in the Office of the County Recorder. Copies of all plans should be available to the public and to affected governmental units.

5. MAJOR REVISIONS AND MINOR CHANGES IN THE PLAN IN IMPLEMENTATION MEASURES

The citizens in the area and any affected governmental unit should be given an opportunity to review and comment prior to any changes in the plan and implementation ordinances. There should be at least 30 days notice of the public hearing on the proposed change. In determining the affected persons to receive notice by mail of proposed changes, renters should be considered among those affected. Also, in the event that all of the property within a single ownership is not included in the area to be changed, the boundary for those to receive notice by mail should be measured from the property line and not from the boundary line of the area to be changed.

Continued on next page

2. LAND USE PLANNING (Continued)

When adopted, the changes should be suitably noted in a prominent place in the document, filed with the recorder, and copies made available to the public.

A. **Major Revisions**
Major revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or many different ownerships.
The plan and implementation measures should be revised when public needs and desires change and when development occurs at a different rate than contemplated by the plan. Areas experiencing rapid growth and development should provide for a frequent review so needed revisions can be made to keep the plan up to date; however, major revisions should not be made more frequently than every two years, if at all possible.
The plan and implementation measures should be reviewed at least every two years and a public statement issued on whether any revision is needed. They can be reviewed in their entirety or in major portions. The review should begin with reexamining the date and problems and continue through the same basic phases as the initial preparation of the plan and implementation measures.

B. **Minor Changes**
Minor changes, i.e., those which do not have significant effect beyond the immediate area of the change, should be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change should be established. Minor changes should not be made more frequently than once a year, if at all possible.

6. **IMPLEMENTATION MEASURES**
The following types of measures should be considered for carrying out plans:

A. **Management Implementation Measures:**
(1) Ordinances controlling the use and construction on the land such as building codes, sign ordinances, subdivision and zoning ordinances. ORS Chapter 197 requires that the provisions of the zoning and subdivision ordinances conform to the comprehensive plan.
(2) Plans for public facilities that are more specific than those included in the comprehensive plan. They show the size, location and capacity serving each property but are not as detailed as construction drawings.
(3) Capital improvement budget which sets out the projects to be constructed during the budget period.
(4) State and federal regulations affecting land use.
(5) Annexations, consolidations, mergers and other reorganization measures.

B. **Site and Area Specific Implementation Measures**

(1) Building permits, septic tank permits, driveway permits, etc.; the review of subdivisions and land partitioning applications, the changing of zones and granting of conditional uses, etc.

(2) The construction of public facilities (schools, roads, water lines, etc.)

(3) The provision of land-related public services such as fire and police.

(4) The awarding of state and federal grants to local governments to provide these facilities and services.

(5) Leasing of public lands.

7. **USE OF GUIDELINES FOR THE STATE-WIDE PLANNING GOALS**

Guidelines for most state-wide planning goals are found in two sections — planning and implementation. Planning guidelines relate primarily to the process of developing plans that incorporate the provisions of the goals. Implementation guidelines should relate primarily to the process of carrying out the goals once they have been incorporated into the plans. Techniques to carry out the goals and plans should be considered during the preparation of the plan.

Notes

3.

AGRICULTURAL LANDS

GOAL: To preserve and maintain agricultural lands.

Agriculture lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space. These lands shall be inventoried and preserved by adopting exclusive farm use zones pursuant to ORS Chapter 215. Such minimum lot sizes as are utilized for any farm use zones shall be appropriate for the continuation of the existing commercial agricultural enterprise with the area. Conversion of rural agricultural land to urbanizable land shall be based upon consideration of the following factors: (1) environmental, energy, social and economic consequences; (2) demonstrated need consistent with LCDC goals; (3) unavailability of an alternative suitable location for the requested use; (4) compatibility of the proposed use with related agricultural land; and (5) the retention of Class I, II, III and IV soils in farm use. A governing body proposing to convert rural agricultural land to urbanizable land shall follow the procedures and requirements set forth in the Land Use Planning goal (Goal 2) for goal exceptions.

AGRICULTURAL LAND — In western Oregon is land of predominatly Class I, II, III and IV soils and in eastern Oregon is land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availablity of water for farm irrigation purposes, existing land use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event.

More detailed soil data to define agricultural land may be utilized by local governments if such data permits achievement of this goal.

Farm Use — is as set forth in ORS 215.203 and includes the non-farm uses authorized by ORS 215.213.

GUIDELINES:

A. **Planning**

1. Urban growth should be separated from agricultural lands by buffer or transitional areas of open space.
2. Plans providing for the preservation and maintenance of farm land for farm use, should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. **Implementation:**

1. Non-farm uses permitted within farm use zones under ORS 215.213 (2) and (3) should be minimized to allow for maximum agricultural productivity.
2. Extension of services, such as sewer and water supplies into rural areas should be appropriate for the needs of agriculture, farm use and non-farm uses established under ORS 215.213.
3. Services that need to pass through agricultural lands should not be connected with any use that is not allowed under ORS 215.203 and 215.213, should not be assessed as part of the farm unit and should be limited in capacity to serve specific service areas and identified needs.
4. Forest and open space uses should be permitted on agricultural land that is being preserved for future agricultural growth. The interchange of such lands should not be subject to tax penalties.

4.

FOREST LANDS

GOAL: To conserve forest lands for forest uses.

Forest land shall be retained for the production of wood fiber and other forest uses. Lands suitable for forest uses shall be inventoried and designated as forest lands. Existing forest land uses shall be protected unless proposed changes are in conformance with the comprehensive plan.

In the process of designating forest lands, comprehensive plans shall include the determination and mapping of forest site classes according to the United States Forest Service manual "Field Instructions for Integrated Forest Survey and Timber Management Inventories - Oregon, Washington and California, 1974."

Forest Lands — are (1) lands composed of existing and potential forest lands which are suitable for commercial forest uses; (2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation; (3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use; (4) other forested lands in urban and agricultural areas which provide urban buffers, wind breaks, wildlife, and fisheries habitat, livestock habitat, scenic corridors and recreational use.

Forest Uses — are (1) the production of trees and the processing of forest products; (2) open space, buffers from noise, and visual separation of conflicting uses; (3) watershed protection and wildlife and fisheries habitat; (4) soil protection from wind and water; (5) maintenance of clean air and water; (6) outdoor recreational activities and related support services and wilderness values compatible with these uses; and (7) grazing land for livestock.

GUIDELINES:

A. **Planning:**

1. Forest lands should be inventoried so as to provide for the preservation of such lands for forest uses.
2. Plans providing for the preservation of forest lands for forest uses should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. **Implementation:**

1. Before forest land is changed to another use, the productive capacity of the land in each use should be considered and evaluated.
2. Developments that are allowable under the forest lands classification should be limited to those activities for forest production and protection and other land management uses that are compatible with forest production. Forest lands should be available for recreation and other uses that do not hinder growth.
3. Forestation or reforestation should be encouraged on land suitable for such purposes, including marginal agricultural land not needed for farm use.
4. Road standards should be limited to the minimum width necessary for management and safety.
5. Highways through forest lands should be designed to minimize impact on such lands.
6. Rights-of-way should be designed so as not to preclude forest growth whenever possible.
7. Maximum utilization of utility rights-of-way should be required before permiting new ones.
8. Comprehensive plans should consider other land uses that are adjacent to forest lands so that conflicts with forest harvest and management are avoided.

5. OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

GOAL: To conserve open space and protect natural and scenic resources.

Programs shall be provided that will: (1) insure open space, (2) protect scenic and historic areas and natural resources for future generations, and (3) promote healthy and visually attractive environments in harmony with the natural landscape character. The location, quality and quantity of the following resources shall be inventoried:

- **a.** **Land needed or desirable for open space;**
- **b.** **Mineral and aggregate resources;**
- **c.** **Energy sources;**
- **d.** **Fish and wildlife areas and habitats;**
- **e.** **Ecologically and scientifically significant natural areas, including desert areas;**
- **f.** **Outstanding scenic views and sites;**
- **g.** **Water areas, wetlands, watersheds and groundwater resources;**
- **h.** **Wilderness areas;**
- **i.** **Historic areas, sites, structures and objects;**
- **j.** **Cultural areas;**
- **k.** **Potential and approved Oregon recreation trails;**
- **l.** **Potential and approved federal wild and scenic waterways and state scenic waterways.**

Where no conflicting uses for such resources have been identified, such resources shall be managed so as to preserve their original character. Where conflicting uses have been identified the economic, social, environmental and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal.

Cultural Area — refers to an area characterized by evidence of an ethnic, religious or social group with distinctive traits, belief and social forms.

Historic Areas — are lands with sites, structures and objects that have local, regional, statewide or national historical significance.

Natural Area — includes land and water that has substantially retained its natural character and land and water that, although altered in character, is important as habitats for plant, animal or marine life, for the study of its natural historical, scentific or paleontological features, or for the appreciation of its natural features.

Open Space — consists of lands used for agricultural or forest uses, and any land area that would, if preserved and continued in its present use:

- (a) Conserve and enhance natural or scenic resources;
- (b) Protect air or streams or water supply;
- (c) Promote conservation of soils, wetlands, beaches or tidal marshes;
- (d) Conserve landscaped areas, such as public or private golf courses, that reduce air pollution and enhance the value of abutting or neighboring property;
- (e) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
- (f) Promote orderly urban development.

Scenic Areas — are lands that are valued for their aesthetic appearance.

Wilderness Areas — are areas where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. It is an area of undeveloped land retaining its primeval character and influence, without permanent improvement or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work subatantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) may also contain ecological, geological, or other features of scientific, educational, scenic or historic value.

GUIDELINES:

A. Planning:

1. The need for open space in the planning area should be determined, and standards developed for the amount, distribution, and type of open space.
2. Criteria should be developed and utilized to determine what uses are consistent with open space values and to evaluate the effect of converting open space lands to inconsistent uses. The maintenance and development of open space in urban areas should be encouraged.
3. Natural resources and required sites for the generation of energy (i.e. natural gas, oil, coal, hydro, geothermal, uranium, solar and others) should be conserved and protected; reservoir sites should be identified and protected against irreversible loss.
4. Plans providing for open space, scenic and historic areas and natural resources should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. The National Register of Historic Places and the recommendations of the State Advisory Committee on Historic Preservation should be utilized in designating historic sites.
utilized in designating historic sites.
6. In conjunction with the inventory of mineral and aggregate resources, sites for removal and processing of such resources should be identified and protected.
7. As a general rule, plans should prohibit outdoor advertising signs except in commercial or industrial zones. Plans should not provide for the reclassification of land for the purpose of accommodating an outdoor advertising sign. The term "outdoor advertising sign" has the meaning set forth in ORS 377.710(23).

B. Implementation:

1. Development should be planned and directed so as to conserve the needed amount of open space.
2. The conservation of both renewable and nonrenewable natural resources and physical limitations of the land should be used as the basis for determining the quantity, quality, location, rate and type of growth in the planning area.
3. The efficient consumption of energy should be considered when utilizing natural resources.
4. Fish and wildlife areas and habitats should be protected and managed in accordance with the Oregon Wildlife Commission's fish and wildlife management plans.
5. Stream flow and water levels should be protected and managed at a level adequate for fish, wildlife, pollution abatement, recreation, aesthetics and agriculture.
6. Significant natural areas that are historically, ecologically or scientifically unique, outstanding or important, including those identified by the State Natural Area Preserves Advisory Committee, should be inventoried and evaluated. Plans should provide for the preservation of natural areas consistent with an inventory of scientific, educational, ecological and recreational needs for significant natural areas.
7. Local, regional and state governments should be encouraged to investigate and utilize fee acquisition, easements, cluster developments, preferential assessment, development rights acquisition and similar techniques to implement this goal.
8. State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. State and federal plans should be reviewed and coordinated with local and regional plans.
9. Areas identified as having nonrenewable mineral and aggregate resources should be planned for interim, transitional and "second use" utilization as well as for the primary use.

6.

AIR, WATER AND LAND RESOURCES QUALITY

GOAL: To maintain and improve the quality of the air, water and land resources of the state.

All waste and process discharges from future develoment, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards, and implementation plan, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

Waste and Process Discharges — refers to solid waste, thermal, noise, atmospheric or water pollutants, contaminants, or products therefrom. Included here also are indirect sources of air pollution which result in emissions of air contaminants for which the state has established standards.

GUIDELINES:

A. **Planning:**

1. Plans should designate alternative areas suitable for use in controlling pollution including but not limited to waste water treatment plants, solid waste disposal sites and sludge disposal sites.
2. Plans should designate areas for uban and rural residential use only where approved sewage disposal alternatives have been clearly identified in such plans.
3. Plans should buffer and separate those land uses which create or lead to conflicting requirements and impacts upon the air, water and land resources.
4. Plans which provide for the maintenance and improvement of air, land and water resources of the planning area should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. All plans and programs affecting waste and process discharges should be coordinated within the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plan.
6. Plans of state agencies before they are adopted, should be coordinated with and reviewed by local agencies with respect to the impact of these plans on the air, water and land resources in the planning area.
7. In all air quality maintenance areas, plans should be based on applicable state rules for reducing indirect pollution and be sufficiently comprehensive to include major transportation, industrial, institutional, commercial, recreational and governmental developments and facilities.

B. **Implementation:**

1. Plans should take into account methods and devices for implementing this goal, including but not limited to the following: (1) tax incentives and disincentives, (2) land use controls and ordinances, (3) multiple-use and joint development practices, (4) capital facility programming, (5) fee and less-than-fee acquisition techniques, and (6) enforcement of local health and safety ordinances.

2. A management program that details the respective implementation roles and responsibilities for carrying out this goal in the planning area should be established in the comprehensive plan.

3. Programs should manage land conservation and development activities in a manner that accurately reflects the community's desires for a quality environment and a healthy economy and is consistent with state environmental quality statutes, rules, standards and implementation plan.

7.

AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

GOAL: To protect life and property from natural disasters and hazards.

Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safeguards. Plans shall be based on an inventory of known areas of natural disaster and hazard.

Areas of Natural Disaster and Hazards — are areas that are subject to natural events that are known to result in death or endanger the works of man, such as stream flooding, ocean flooding, ground water, erosion and deposition, landslides, earthquakes, weak foundation soils and other hazards unique to local or regional areas.

GUIDELINES:

A. **Planning:**

1. Areas subject to natural hazards should be evaluated as to the degree of hazard present. Proposed developments should be keyed to the degree of hazard and to the limitations on use imposed by such hazard in the planning areas.
2. In planning for flood plain areas, uses that will not require protection through dams, dikes and levies should be preferred over uses that will require such protection.
3. Low density and open space uses that are least subject to loss of life or property damage such as open storage, forestry, agriculture and recreation should be preferred in floodplains, especially the floodway portion. The floodway portion should be given special attention to avoid development that is likely to cause an impediment to the flow of floodwaters.
4. Plans taking into account known areas of natural disasters and hazards should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.
5. Planning for known areas of natural disasters and hazards should include an evaluation of the beneficial impact on natural resources and the environment from letting such events naturally reoccur.

B. **Implementation:**

1. Cities and counties not already eligible should qualify for inclusion in the National Flood Insurance Program, provided under the National Flood Insurance Act of 1968 (Public Law 90-448). The Act requires that development in flood-prone areas be appropriate to the probability of flood damage, and the danger to human life. The Flood Disaster Protection Act of 1973 (P.L. 93-234) and other pertinent federal and state programs should be considered. The United States Department of Housing and Urban Development should identify all flood and mud-slide prone cities and counties in Oregon, and priority should be given to the completion of flood rate maps for such areas.

2. When locating developments in areas of known natural hazards, the density or intensity of the development should be limited by the degree of the natural hazard.
3. When regulatory programs and engineering projects are being considered, the impacts of each should be considered.
4. Natural hazards that could result from new developments, such as runoff from paving projects and soil slippage due to weak foundation soils, should be considered, evaluated and provided for.

8.

RECREATIONAL NEEDS

GOAL: To satisfy the recreational needs of the citizens of the state and visitors.

The requirements for meeting such needs, now and in the future shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities: (1) in coordination with private enterprise, (2) in appropriate proportions and (3) in such quantity, quality and location as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

Recreation Areas, Facilities and Opportunities — provide for human development and enrichment, and include but are not limited to: open space and scenic landscapes; recreational lands; history, archaeology and natural science resources; scenic roads and travelways, sports and cultural events; camping, picnicking and recreational lodging; tourist facilities and accommodations; trails; waterway use facilities; hunting; angling; winter sports; mineral resources; active and passive games and activities.

Recreation Needs — refers to existing and future demand by citizens and visitors for recreation areas, facilities and opportunities.

GUIDELINES:

A. Planning:

1. An inventory of recreation needs in the planning area should be made based upon adequate research and analysis of public wants and desires.
2. An inventory of recreation opportunities should be made based upon adequate research and analysis of the resources in the planning area which are available to meet recreation needs.
3. Recreation land use to meet recreational needs and development standards, roles and responsibilities should be developed by all agencies in coordination with each other and with the private interests. Long range plans and action programs to meet recreational needs should be developed by each agency responsible for developing comprehensive plans.
4. The planning for lands and resources capable of accommodating multiple uses should include provision for appropriate recreation opportunities.
5. The STATE COMPREHENSIVE OUTDOOR RECREATION PLAN could be used as a guide when planning, acquiring and developing recreation resources, areas and facilities.
6. When developing recreation plans, energy consequences should be considered, and to the greatest extent possible non-motorized types of recreational activities should be preferred over motorized activities.
7. Planning and provision for recreation facilities and opportunities should give priority to areas, facilities and uses that (a) meet recreational needs requirements for high density population centers, (b) meet recreational needs of persons of limited mobility and finances, (c) meet recreational needs requirements while providing the maximum conservation of energy both in the transportation of persons to the facility or area and in the recreational use itself, (d) minimize environmental deterioration, (e) are available to the public at nominal cost, and (f) meet needs of visitors to the state.
8. Unique areas or resources capable of meeting one or more specific recreational needs requirements should be inventoried and protected or acquired.
9. All state and federal agencies developing recreation plans should allow for review of recreation plans by affected local agencies.
10. Comprehensive plans should be designed to give a higher priority to enhancing recreation opportunities on the public waters and shorelands of the state especially on existing and potential state and federal wild and scenic waterways and Oregon Recreational Trails.
11. Plans which provide for satisfying the recreation needs of persons in the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. Plans should take into account various techniques in addition to fee acquisition such as easements, cluster developments, preferential assessments, development rights acquisition, subdivision park land dedication which benefits the subdivision, and similar techniques to meet recreation requirements through tax policies, land leases, and similar programs.

9.

ECONOMY OF THE STATE

GOAL: To diversify and improve the economy of the state.

Both state and federal economic plans and policies shall be coordinated by the state with local and regional needs. Plans and policies shall contribute to a stable and healthy economy in all regions of the state. Plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability; labor market factors; transportation; current market forces; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Economic growth and activity in accordance with such plans shall be encouraged in areas that have underutilized human and natural resource capabilities and want increased growth and activity. Alternative sites suitable for economic growth and expansion shall be designated in such plans.

Diversify — refers to increasing the variety, type, scale and location of business, industrial and commercial activities.

Improve the Economy of the State — refers to a beneficial change in those business, industrial and commercial activities which generate employment, products and services consistent with the availability of long term human and natural resources.

Areas Which Have Underutilized Human and Natural Resource Capabilities — refer to cities, counties or regions which are characterized by chronic unemployment or a narrow economic base, but have the capacity and resources to support additional economic activity.

GUIDELINES:

A. Planning:

1. A principal determinant in planning for major industrial and commercial developments should be the comparative advantage of the region within which the developments would be located. Comparative advantage industries are those economic activities which represent the most efficient use of resources, relative to other geographic areas.
2. The economic development projections and the comprehensive plan which is drawn from the projections should take into account the availability of the necessary natural resources to support the expanded industrial development and associated populations. The plan should also take into account the social, environmental, energy and economic impacts upon the resident population.
3. Plans should designate the type and level of public facilities and services appropriate to support the degree of economic development being proposed.
4. Plans should strongly emphasize the expansion of and increased productivity from existing industries and firms as a means to strengthen local and regional economic development.
5. Plans directed toward diversification and improvement of the economy of the planning area should consider as a major determinant, the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. Plans should take into account methods and devices for overcoming certain regional conditions and deficiencies for implementing this goal, including but not limited to (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) preferential assessments; (4) capital improvement programming; and (5) fee and less-than-fee acquisition techniques.
2. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those private and governmental bodies which operate in the planning area and have interests in carrying out this goal and in supporting and coordinating regional and local economic plans and programs.

10. HOUSING

GOAL: To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Buildable Lands — refers to lands in urban and urbanizable areas that are suitable, available and necessary for residential use.

Household — refers to one or more persons occupying a single housing unit.

GUIDELINES:

A. **Planning:**

1. In addition to inventories of buildable lands, housing elements of a comprehensive plan should, at a minimum, include: (1) A comparison of the distribution of the existing population by income with the distribution of available housing units by cost: (2) a determination of vacancy rates, both overall and at varying rent ranges and cost levels: (3) a determination of expected housing demand at varying rent ranges and cost levels; (4) allowance for a variety of densities and types of residences in each community; and (5) an inventory of sound housing in urban areas including units capable of being rehabilitated.
2. Plans should be developed in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels.
3. Plans should provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.
4. Plans providing for housing needs should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. **Implementation:**

1. Plans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions.
2. Plans should take into account the effects of utilizing financial incentives and resources to (a) stimulate the rehabilitation of substandard housing without regard to the financial capacity of the owner so long as benefits accrue to the occupants; and (b) bring into compliance with codes adopted to assure safe and sanitary housing the dwellings of individuals who cannot on their own afford to meet such codes.
3. Decisions on housing development proposals should be expedited when such proposals are in accordance with zoning ordinances and with provisions of comprehensive plans.
4. Ordinances and incentives should be used to increase population densities in urban areas taking into consideration (1) key facilities, (2) the economic, environmental, social and energy consequences of the proposed densities and (3) the optimal use of existing urban land particularly in sections containing significant amounts of unsound substandard structures.
5. Additional methods and devices for achieving this goal should, after consideration of the impact on lower income households, include, but not be limited to: (1) tax incentives and disincentives; (2) building and construction code revision; (3) zoning and land use controls; (4) subsidies and loans; (5) fee and less-than-fee acquisition techniques; (6) enforcement of local heath and safety costs; and (7) coordination of the development of urban facilities and services to disperse low income housing throughout the planning area.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

11. PUBLIC FACILITIES AND SERVICES

GOAL: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served. A provision for key facilities shall be included in each plan. To meet current and long-range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

A Timely Orderly and Efficient Arrangement — refers to a system or plan that coordinates the type, location and delivery of public facilities and services in a manner that best supports the existing and proposed land uses.

Rural Facilities and Services — refers to facilities and services which the governing body determines to be suitable and appropriate solely for the needs of rural use.

Urban Facilities and Services — refers to key facilities and to appropriate types and levels of at least the following: police protection; fire protection; sanitary facilities; storm drainage facilities; planning, zoning and subdivision control; health services; recreation facilities and services; energy and communication services; and community governmental services.

GUIDELINES:

A. **Planning:**

1. Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, urbanizable land, rural uses and for the transition of rural land to urban uses.
2. Public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.
3. Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses.
4. Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; and (4) levels of service needed and desired.
5. A public facility or service should not be provided in an urbanizable area unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.
6. All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units.
7. Plans providing for public facilities and services should consider as a major determinant and carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. **Implementation:**

1. Capital improvement programming and budgeting should be utilized to achieve desired types and levels of public facilities and services in urban, urbanizable and rural areas.
2. Public facilities and services should be appropriate to support sufficient amounts of land to maintain an adquate housing market in areas undergoing development or redevelopment.
3. The level of key facilities that can be provided should be considered as a principal factor in planning for various densities and types of urban and rural land uses.
4. Plans should designate sites of power generation facilities and the location of electric transmission lines in areas intended to support desired levels of urban and rural development.
5. Additional methods and devices for achieving desired types and levels of public facilities and services should include but not be limited to the following: (1) tax incentives and disincentives; (2) land use controls and ordinances; (3) multiple use and joint development practices; (4) fee and less-than-fee acquisition techniques; and (5) enforcement of local health and safety codes.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

12.

TRANSPORTATION

GOAL: To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

Transportation — refers to the movement of people and goods.

Transportation Facility — refers to one or more transportation facilities that are planned, developed, operated and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas.

Mass Transit — refers to any form of passenger transportation which carries members of the public on a regular and continuing basis.

Transportation Disadvantaged — refers to those individuals who have difficulty in obtaining transportation because of their age, income, physical or mental disability.

GUIDELINES:

A. Planning:

1. All current area-wide transportation studies and plans should be revised in coordination with local and regional comprehensive plans and submitted to local and regional agencies for review and approval.
2. Transportation systems, to the fullest extent possible, should be planned to utilize existing facilities and rights-of-way within the state provided that such use is not inconsistent with the environmental, energy, land-use, economic or social policies of the state.
3. No major transportation facility should be planned or developed outside urban boundaries on Class I and II agricultural land, as defined by the U.S. Soil Conservation Service unless no feasible alternative exists.
4. Major transportation facilities should avoid dividing existing economic farm units and urban social units unless no feasible alternative exists.
5. Populations densities and peak hour travel patterns of existing and planned developments should be considered in the choice of transportation modes for trips taken by persons. While high density developments with concentrated trip origins and destinations should be designed to be principally served by mass transit, low-density developments with dispersed origins and destinations should be principally served by the auto.
6. Plans providing for a transportation system should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation:

1. The number and location of major transportation facilities should conform to applicable state or local land use plans and policies designed to direct urban expansion to areas identified as necessary and suitable for urban development. The planning and development of transportation facilities in rural areas should discourage urban growth while providing transportation service necessary to sustain rural and recreational uses in those areas so designated in the comprehensive plan.

2. Plans for new or for the improvement of major transportation facilities should identify the positive and negative impacts on: (1) local land use patterns, (2) environmental quality, (3) energy use and resources, (4) existing transportation systems and (5) fiscal resources in a manner sufficient to enable local governments to rationally consider the issues posed by the construction and operation of such facilities.

3. Lands adjacent to major mass transit stations, freeway interchanges, and other major air, land and water terminals should be managed and controlled so as to be consistent with and supportive of the land use and development patterns identified in the comprehensive plan of the jurisdiction within which the facilities are located.

4. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

13.

ENERGY CONSERVATION

GOAL: To conserve energy.
Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

GUIDELINES:

A. Planning:

1. Priority consideration in land use planning should be given to methods of analysis and implementation measures that will assure achievement of maximum efficiency in energy utilization.
2. The allocation of land and uses permitted on the land should seek to minimize the depletion of nonrenewable sources of energy.
3. Land use planning should, to the maximum extent possible, seek to recycle and re-use vacant land and those uses which are not energy efficient.

4. Land use planning should, to the maximum extent possible, combine increasing density gradients along high capacity transportation corridors to achieve greater energy efficiency.

5. Plans directed toward energy conservation within the planning area should consider as a major determinant the existing and potential capacity of the renewable energy sources to yield useful energy output. Renewable energy sources include water, sunshine, wind, geothermal heat and municipal, forest and farm waste. Whenever possible, land conservation and development actions provided for under such plans should utilize renewable energy sources.

B. Implementation:

1. Land use plans should be based on utilization of the following techniques and implementation devices which can have a material impact on energy efficiency:

   a. Lot size, dimension and siting controls;
   b. Building height, bulk and surface area;
   c. Density of uses, particularly those which relate to housing densities;
   d. Availability of light, wind and air;
   e. Compatibility of and competition between competing land use activities; and
   f. Systems and incentives for the collection, reuse and recycling of metallic and nonmetallic waste.

14. URBANIZATION

GOAL: To provide for an orderly and efficient transition from rural to urban land use.

Urban growth boundaries shall be established to identify and separate urbanizable land from rural land.

Establishment and change of the boundaries shall be based upon consideration of the following factors:

- **(1) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;**
- **(2) Need for housing, employment opportunities, and livability;**
- **(3) Orderly and economic provision for public facilities and services;**
- **(4) Maximum efficiency of land uses within and on the fringe of the existing urban area;**
- **(5) Environmental, energy, economic and social consequences;**
- **(6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,**
- **(7) Compatibility of the proposed urban uses with nearby agricultural activities.**

The results of the above considerations shall be included in the comprehensive plan. In the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable land from rural land, shall follow the procedures and requirements as set forth in the Land Use Planning Goal (Goal 2) for goal exceptions.

Any urban growth boundary established prior to January 1, 1975 which includes rural lands that have not been built upon shall be reviewed by the governing body, utilizing the same factors applicable to the establishment or change of urban growth boundaries.

Establishment and change of the boundaries shall be a cooperative process between a city and the county or counties that surround it.

Land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses. Conversion of urbanizable land to urban uses shall be based on consideration of:

- **(1) Orderly, economic provision for public facilities and services;**
- **(2) Availability of sufficient land for the various uses to insure choices in the market place;**
- **(3) LCDC goals; and,**
- **(4) Encouragement of development within urban areas before conversion of urbanizable areas.**

GUIDELINES

A. Planning:

1. Plans should designate sufficient amounts of urbanizable land to accommodate the need for further urban expansion, taking into account (1) the growth policy of the area, (2) population needs (by the year 2000), (3) the carrying capacity of the planning area, and (4) open space and recreational needs.
2. The size of the parcels of urbanizable land that are converted to urban land should be of adequate dimension so as to maximize the utility of the land resource and enable the logical and efficient extension of services to such parcels."
3. Plans providing for the transition from rural to urban land use should take into consideration as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development actions provided for by such plans should not exceed the carrying capacity of such resources.

B. Implementation Related:

1. The type, location and phasing of public facilities and services are factors which should be utilized to direct urban expansion.
2. The type, design, phasing and location of major public transportation facilities (i.e., all modes: air, marine, rail, mass transit, highways, bicycle and pedestrian) and improvements thereto are factors which should be utilized to support urban expansion into urbanizable areas and restrict it from rural areas.
3. Financial incentives should be provided to assist in maintaining the use and character of lands adjacent to urbanizable areas.
4. Local land use controls and ordinances should be mutually supporting, adopted and enforced to integrate the type, timing and location of public facilities and services in a manner to accommodate increased public demands as urbanizable lands become more urbanized.
5. Additional methods and devices for guiding urban land use should include but not be limited to the following: (1) tax incentives and disincentives; (2) multiple use and joint development practices; (3) fee and less-than-fee acquisition techniques; and (4) capital improvement programming.
6. Plans should provide for a detailed management program to assign respective implementation roles and responsibilities to those governmental bodies operating in the planning area and having interests in carrying out the goal.

15. WILLAMETTE RIVER GREENWAY

The Willamette River Greenway presents a unique and unprecedented problem. The outlines of the problem are (1) a legislative policy directing development and maintenance of a natural, scenic, historical and recreational greenway along the Willamette River; (2) accomplishment of this purpose by the development and implementation of a "plan" (3) through the "cooperative efforts" of the state and local units of government. ORS 390.314(1) and (2) (a). Except for this broad directive, there is no specific legislative guidance as to how this undertaking is to be accomplished for what amounts to over 600 miles of riverbank. The legislature did direct the Oregon Department of Transportation (DOT) to prepare a plan "for the development and management of the Willamette River Greenway" (ORS 390.318(1)). However, the detail as to what was to go into the plan is sketchy. The legislature required the setting forth of the boundaries of the Greenway, interests to be acquired by units of governments, the location of publicly owned property and the locations of aggregate deposits. (ORS 390.318(2) and (3). The legislature also directed the Land Conservation and Development Commission (LCDC), following preparation of the Plan by DOT, to make such investigation and review of the plan "as it considers necessary" and to "revise the plan . . . itself or require such revision by the Department and units of local government" (ORS 390.322(1)). Again, however, the question of how the Greenway was to come about through the cooperative efforts of the various units of government was not spelled out.

The situation therefore calls for some overall management framework within which the various public agencies can act to accomplish the legislative intent.

Accordingly, the LCDC deems a statewide planning goal to be necessary not only to implement the policy of the Greenway Law, but also to provide the parameters within which the DOT plan can be formulated and carried out for the Greenway. Within those parameters local governments can formulate and implement (in a manner in harmony with the DOT plan), those Greenway portions of their comprehensive plans and implementing ordinances within their boundaries.

OVERALL GOAL STATEMENT

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

A. GENERAL

1. The qualities of the Willamette River Greenway shall be protected, conserved, enhanced and maintained consistent with the lawful uses present on December 6, 1975. Intensification of uses, changes in use or developments may be permitted after this date only when they are consistent with the Willamette Greenway Statute, this goal, the interim goals in ORS 215.515(1) and the statewide planning goals, as the case may be, and when such changes have been approved as provided in the Preliminary Greenway Plan or similar provisions in the completed plan as appropriate.
2. The Willamette Greenway Program shall be composed of cooperative local and state government plans for the protection, conservation, enhancement and maintenance of the Greenway, and of implementation measures including management through ordinances, rules, regulations, permits, grants as well as acquisition and development of property, etc. It shall also become a part of all other local and state plans and programs within and near the Greenway.
3. The Greenway Program shall include:
   - a. Boundaries within which special Greenway considerations shall be taken into account;
   - b. Management of uses on lands within and near the Greenway to maintain the qualities of the Greenway;

Continued on next page

15. WILLAMETTE RIVER GREENWAY (Continued)

c. Acquisition of lands or interests in lands from a donor or willing seller or as otherwise provided by law in areas where the public's need can be met by public ownership.

B. INVENTORIES AND DATA

Information and data shall be collected to determine the nature and extent of the resources, uses and rights associated directly with the Willamette River Greenway. These inventories are for the purpose of determining which lands are suitable or necessary for inclusion within the Willamette River Greenway boundaries and to develop the plans and management and acquisition programs.

Each of the following items shall be inventoried [1] as it relates to the Greenway objectives:

1. All agricultural lands as provided in Goal 3. This includes all land currently in farm use as defined in ORS Chapter 215.203(2);
2. All current aggregate excavation and processing sites, and all known extractable aggregate sources;
3. All current public recreation sites, including public access points to the river and hunting and fishing areas;
4. Historical and archaeological sites;
5. Timber resources;
6. Significant natural and scenic areas, and vegetative cover;
7. Fish and wildlife habitats;
8. Areas of annual flooding and flood plains;
9. Land currently committed to industrial, commercial and residential uses;
10. The ownership of property, including riparian rights;
11. Hydrological conditions;
12. Ecologically fragile areas;
13. Recreational needs as set forth in Goal 8;
14. Other uses of land and water in or near the Greenway;
15. Acquisition areas which include the identification of areas suitable for protection or preservation through public acquisition of lands or an interest in land. Such acquisition areas shall include the following:
    a. Areas which may suitably be protected by scenic easements;
    b. Scenic and recreational land for exclusive use of the public;
    c. Sites for the preservation and restoration of historic places;
    d. Public access corridors;
    e. Public parks;
    f. Ecologically fragile areas; and
    g. Other areas which are desirable for public acquisition may also be identified if the reasons for public acquisition for the Greenway are also identified.

C. CONSIDERATIONS AND REQUIREMENTS

The Oregon Department of Transportation (DOT) Greenway Plan, the portions of each city and county comprehensive plan within the Greenway, the portions of plans and programs and implementation measures of all special districts, state and federal agencies within the Greenway shall be based on the following factors:

1. General Considerations and Requirements
    a. Statutory requirements in ORS Chapter 390.010 to 390.220 and in ORS Chapter 390.310 to 390.368;
    b. City, county and regional comprehensive plans adopted pursuant to ORS Chapter 197 for jurisdictions along the river;
    c. Statewide planning goals and guidelines adopted pursuant to ORS Chapter 197 by LCDC;
    d. Interim goals set forth in ORS Chapter 215.515(1).
2. Boundary Considerations and Requirements.[2] The temporary and preliminary Greenway boundaries shall be reviewed as to their appropriateness and refined as needed based on the information contained in the inventories. The refined boundaries shall include such lands along the Willamette River as are necessary to carry out the purpose and intent of the Willamette River Greenway through a coordinated management and acquisition program.

    Within farm areas, consideration shall be given to the ability of agricultural land adjacent to the Willamette River Greenway to enhance and protect the Greenway.
3. Use Management Considerations and Requirements. Plans and implementation measures shall provide for the following:
    a. Agricultural lands — The agricultural lands identified in the inventory shall be preserved and maintained as provided in Goal 3 as an effective means to carry out the purposes of the Greenway including those agricultural lands near the Greenway. Lands devoted to farm use which are not located in an exclusive farm use zone shall be allowed to continue in such farm use without restriction as provided in ORS 390.314(2)(c), ORS 390.332(4) and ORS 390.334(2);
    b. Recreation—
        (1) Local, regional and state recreational needs shall be provided for consistent with the carrying capacity of the land;
        (2) Zoning provisions shall allow recreational uses on lands to the extent that such use would not substantially interfere with the long-term capacity of the land for farm use as defined in ORS 215.203;
        (3) The possibility that public recreation use might disturb adjacent property shall be considered and minimized to the greatest extent practicable;
        (4) The public parks established by section 8a of Chapter 558, 1973 Oregon laws, shall be set forth on the appropriate comprehensive plans and zoning established which will permit their development, use and maintenance;
    c. Access — Adequate public access to the river shall be provided for, with emphasis on urban and urbanizable areas;
    d. Fish and wildlife habitat — Significant fish and wildlife habitats shall be protected;
    e. Scenic qualities and views — Identified scenic qualities and viewpoints shall be preserved;
    f. Protection and safety — The Willamette River Greenway Program shall provide for the maintenance of public safety and protection of public and private property, especially from vandalism and trespass in both rural and urban areas to the maximum extent practicable;
    g. Vegetative fringe — The natural vegetative fringe along the River shall be enhanced and protected to the maximum extent practicable;
    h. Timber resource — The partial harvest of timber shall be permitted beyond the vegetative fringes in areas not covered by a scenic easement when the harvest is consistent with an approved plan under the Forest Practices Act, or, if not covered by the Forest Practices Act, then with an approved plan under the Greenway compatibility review provisions. Such plan shall insure that the natural scenic qualities of the Greenway will be maintained to the greatest extent practicable or restored within a brief period of time;
    i. Aggregate extraction — Extraction of known aggregate deposits may be permitted when compatible with the purposes of the Willamette River Greenway and when economically feasible, subject to compliance with ORS 541.605 to 541.695; ORS 517.750 to 517.900 and subject to compliance with local regulations designed to minimize adverse effects of water quality, fish and wildlife, vegetation, bank stabilization, streamflow, visual quality, noise, safety and to guarantee necessary reclamation;
    j. Development away from river — Developments shall be directed away from the River to the greatest possible degree; provided, however, lands committed to urban uses within the Greenway shall be permitted to continue as urban uses, including port, industrial, commercial and residential uses, uses pertaining to navigational requirements, water and land access needs and related facilities;
    k. Greenway setback — A setback line will be established to keep structures separated from the River in order to protect, maintain, preserve and enhance the natural, scenic, historic and recreational qualities of the Willamette River Greenway, as identified in the Greenway inventories. The setback line shall not apply to water-related or water-dependent uses.
4. Areas to be Acquired — Considerations and Requirements

    Areas to be acquired must:
    a. Have potential to serve the purposes of the greenway;
    b. To the maximum extent practicable, be consistent with non-interference or non-interruption of farm uses as defined in ORS Chapter 215.203(2);
    c. Be suitable for permitting the enforcement of existing statutes relating to trespass and vandalism along the Greenway, and be suitable for allowing maintenance of the lands or interests acquired.

D. DOT GREENWAY PLAN

The DOT will prepare and keep current, through appropriate revisions, a Greenway Plan setting forth the state interests in the Greenway. The plan will show:

Continued on next page

---

[1] When information on such items is not available through previous studies, information will be maintained by the agencies for those portions of the plan for which they are responsible. This requirement shall not limit units of government from collecting information on other items.

[2] See ORS Chapter 390.318 (1) for specific statutory language . . . "There shall be included within the boundaries of the Willamette River Greenway all lands situated with 150 feet from the ordinary low water line on each side of each channel of the Willamette River and such other lands along the Willamette River as the department and units of local government consider necessary for the development of such Greenway; however, the total area included within the boundaries of such Greenway shall not exceed, on the average, 320 acres per river mile along the Willamette River; however, for the purpose of computing the maximum acreage of lands within such Greenway, the acreage of lands situated on such islands and within state parks and recreation areas shall be excluded."

15. WILLAMETTE RIVER GREENWAY (Continued)

1. The boundaries of the Willamette River Greenway;
2. The boundaries of the areas in which interests in property may be acquired. These shall be depicted clearly on maps or photographs together with the nature of the acquisition such as fee title or scenic easement; the general public purposes of each such area, and the conditions under which such acquisition may occur;
3. Use Intensity Classifications for the areas acquired by the State for Greenway purposes; and
4. The locations of public access, either already existing or to be acquired.

The DOT plan or revision thereto will be reviewed by the Land Conservation and Development Commission (LCDC) as provided in ORS 390.322. When the Commission has determined that the revision is consistent with the statutes and this Goal, it shall approve the plan for recording.

E. COMPREHENSIVE PLANS OF CITIES AND COUNTIES

Each city and county in which the Willamette River Greenway is located, shall incorporate the portions of the approved DOT Greenway Plan in its comprehensive plan and implementing ordinances and other implementation measures.

1. Boundaries: Boundaries of the approved Willamette River Greenway shall be shown on every comprehensive plan.
2. Uses: Each comprehensive plan shall designate the uses to be permitted for the rural and urban areas of each jurisdiction which uses shall be consistent with the approved DOT Greenway Plan, the Greenway Statutes and this Goal.
3. Acquisition Areas: Each comprehensive plan shall designate areas identified for possible public acquisition and the conditions under which such acquisition may occur as set forth in the approved DOT Willamette Greenway Plan and any other area which the city or county intends to acquire.

F. IMPLEMENTATION MEASURES

Implementation of the Greenway Program shall occur through the cooperative efforts of state and local units of government and shall be consistent with the approved DOT Greenway Plan and the city and county comprehensive plans, the goals and appropriate statutes.

1. Boundaries: Willamette River Greenway boundaries shall be shown on city and county zoning maps and referred to in the zoning ordinance and the subdivision ordinance.
2. Uses: Measures for managing uses within the Greenway shall include at least:
   a. Exclusive farm use zoning of all agricultural land within and adjacent to the Greenway;
   b. Flood plain zoning of all areas subject to flooding;
   c. Open space zoning (see ORS Chapter 308.740) of all open space areas; and
   d. Provisions for the use management considerations and requirements set forth in C3. of this Goal.
3. Greenway Compatibility Review: Cities and counties shall establish provisions by ordinance for the review of intensifications, changes of use or developments to insure their compatibility with the Willamette River Greenway. Such ordinances shall include the matters in a through e below:
   a. The establishment of Greenway compatibility review boundaries adjacent to the river within which review of developments shall take place. Such boundaries in urban areas shall be not less than 150 feet from the ordinary low water line of the Willamette River; in rural areas such boundaries shall include all lands within the boundaries of the Willamette River Greenway;
   b. The review of intensification, changes of use and developments as authorized by the Comprehensive Plan and zoning ordinance to insure their compatibility with the Greenway statutes and to insure that the best possible appearance, landscaping and public access are provided. Such review shall include the following findings, that to the greatest possible degree:
      (1) The intensification, change of use or development will provide the maximum possible landscaped area, open space or vegetation between the activity and the river;
      (2) Necessary public access will be provided to and along the river by appropriate legal means;
   c. Provision is made for at least one public hearing on each application to allow any interested person an opportunity to speak;
   d. Provision is made for giving notice of such hearing at least to owners of record of contiguous property and to any individual or groups requesting notice; and
   e. Provision is made to allow the imposing of conditions on the permit to carry out the purpose and intent of the Willamette River Greenway Statutes.
   f. As an alternative to the review procedures in subparagraphs 3 (a) to 3 (e), a city or county governing body may prepare and adopt, after public hearing and notice thereof to DOT, a design plan and administrative review procedure for a portion of the Greenway. Such design plan must provide for findings equivalent to those required in subparagraph 3 (b) (1) and (2) of paragraph F so as to insure compatibility with the Greenway of proposed intensifications, changes of use or developments. If this alternative procedure is adopted and approved by DOT and LCDC, a hearing will not be required on each individual application.

G. NOTICE OF PROPOSED INTENSIFICATION, CHANGE OF USE OR DEVELOPMENT

Government agencies, including cities, counties, state agencies, federal agencies, special districts, etc., shall not authorize or allow intensification, change of use or development on lands within the boundaries of the Willamette River Greenway compatibility review area established by cities and counties as required by paragraph F 3. a. without first giving written notice to the DOT by immediately forwarding a copy of any application by certified mail — return receipt requested. Notice of the action taken by federal, state, city, county, and special districts on an application shall be furnished to DOT.

H. AGENCY JURISTICTION

Nothing in this order is intended to interfere with the duties, powers and responsibilities vested by statute in agencies to control or regulate activities on lands or waters within the boundaries of the Greenway so long as the exercise of the authority is consistent with the legislative policy set forth in ORS 390.310 to 390.368 and the applicable statewide planning goal for the Willamette River Greenway, as the case may be. An agency receiving an application for a permit to conduct an activity on lands or waters within the Greenway shall immediately forward a copy of such request to the Department of Transporataion.

I. DOT SCENIC EASEMENTS

Nothing in this Goal is intended to alter the authority of DOT to acquire property or a scenic easement therein as set forth in ORS 390.310 to 390.368.

J. TRESPASS BY PUBLIC

Nothing in this Goal is intended to authorize public use of private property. Public use of private property is a trespass unless appropriate easements and access have been acquired in allowance with law to authorize such use.

K. DEFINITIONS FOR WILLAMETTE RIVER GREENWAY GOAL

1. CHANGE OF USE means making a different use of the land or water then that which existed on December 6, 1975. It includes a change which requires construction, alterations of the land, water or other areas outside of the existing buildings or structures and which substantially alters or affects the land or water. It does not include a change of use of a building or other structure which does not substantially alter or affect the land or water upon which it is situated. Change of use shall not include the completion of a structure for which a valid permit had been issued as of December 6, 1975 and under which permit substantial construction has been undertaken by July 1, 1976. The sale of property is not in itself considered to be a change of use. An existing open storage area shall be considered to be the same building.

   Landscaping, construction of driveways, modifications of existing structures, or the construction or placement of such subsidiary structures or facilities as are usual and necessary to the use and enjoyment of existing improvements shall not be considered a change of use for the purposes of this Goal.
2. LANDS COMMITTED TO URBAN USE means those lands upon which the economic, developmental and locational factors have, when considered together, made the use of the property for other than urban purposes inappropriate. Economic, developmental and locational factors include such matters as ports, industrial, commercial, residential or recreational uses of property; the effect these existing uses have on properties in their vicinity, previous public decisions regarding the land in question, as contained in ordinances and such plans as the Lower Willamette River Management Plan, the city or county comprehensive plans and similar public actions.
3. INTENSIFICATION means any additions which increase or expand the area or amount of an existing use, or the level of activity. Remodeling of the exterior of a structure not excluded

Continued on next page

15. WILLAMETTE RIVER GREENWAY (Continued)

below is an intensification when it will substantially alter the appearance of the structure. Intensification shall not include the completion of a structure for which a valid permit was issued as of December 6, 1975 and under which permit substantial construction has been undertaken by July 1, 1976. Maintenance and repair usual and necessary for the continuance of an existing use is not an intensification of use. Reasonable emergency procedures necessary for the safety or the protection of property are not an intensification of use. Residential use of lands within the Greenway includes the practices and activities customarily related to the use and enjoyment of one's home. Landscaping, construction of driveways, modificaion of existing structures or construction or placement of such subsidiary structures or facilities adjacent to the residence as are usual and necessary to such use and enjoyment shall not be considered an intensification for the purposes of this Goal. Seasonal increases in gravel operations shall not be considered an intensification of use.

16. ESTUARINE RESOURCES

GOAL:

OVERALL STATEMENT

To recognize and protect the unique environmental, economic and social values of each estuary and associated wetlands; and

To protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

Comprehensive management programs to achieve these objectives shall be developed by appropriate local, state, and federal agencies for all estuaries.

To assure diversity among the estuaries of the State, by June 15, 1977, LCDC with the cooperation and participation of local governments, special districts, and state and federal agencies shall classify the Oregon estuaries to specify the most intensive level of development or alteration which may be allowed to occur within each estuary. After completion for all estuaries of the inventories and initial planning efforts, including identification of needs and potential conflicts among needs and goals and upon request of any coastal jurisdiction, the Commission will review the overall Oregon Estuary Classification.

Comprehensive plans and activities for each estuary shall provide for appropriate uses (including preservation) with as much diversity as is consistent with the overall Oregon Estuary Classification, as well as with the biological, economic, recreational, and aesthetic benefits of the estuary. Estuary plans and activities shall protect the estuarine ecosystem, including its natural biological productivity, habitat, diversity, unique features and water quality. Dredge, fill, or other reduction or degradation of these natural values by man shall be allowed only:

(1) if required for navigation or other water-dependent uses that require an estuarine location; and
(2) if a public need is demonstrated; and
(3) if no alternative upland locations exist; and
(4) if adverse impacts are minimized as much as feasible.

INVENTORY REQUIREMENTS

Inventories shall be conducted to provide information necessary for designating estuary uses and policies. These inventories shall provide information on the nature, location, and extent of physical, biological, social and economic resources in sufficient detail to establish a sound basis for estuarine management and to enable the identification of areas for preservation and areas of exceptional potential for development.

State and federal agencies shall assist in the inventories of estuarine resources. The Department of Land Conservation and Development, with assistance from local government, state and federal agencies, shall establish common inventory standards and techniques, so that inventory data collected by different agencies or units of government, or data between estuaries, will be comparable.

COMPREHENSIVE PLAN REQUIREMENTS

Based upon inventories, the limits imposed by the overall Oregon Estuary Classification, and needs identified in the planning process, comprehensive plans for coastal areas shall:

(1) identify each estuarine area;
(2) describe and maintain the diversity of important and unique environmental, economic and social features within the estuary;
(3) classify the estuary into management units; and
(4) establish policies and use priorities for each management unit using the standards and procedures set forth below.

Management Units

Diverse resources, values, and benefits shall be maintained by classifying the estuary into distinct water use management units. When classifying estuarine areas into management units, the following shall be considered in addition to the inventories:

(1) Adjacent upland characteristics and existing land uses;
(2) Compatibility with adjacent uses;
(3) Energy costs and benefits; and
(4) The extent to which the limited water surface area of the estuary shall be committed to different surface uses.

As a minimum, the following kinds of management units shall be established:

(1) Natural — In all estuaries, areas shall be designated to assure the protection of significant fish and wildlife habitats, of continued biological productivity within the estuary, and of scientific, research, and educational needs. These shall be managed to preserve the natural resources in recognition of dynamic, natural, geological and evolutionary processes. Such areas shall include, at a minimum, all major tracts of salt marsh, tideflats, and seagrass and algae beds.

Permissible uses in natural areas shall be undeveloped low-intensity water-dependent recreation; research and educational observation; navigational aides, such as beacons and buoys; protection of habitat, nutrient, fish, wildlife and aesthethic resources; and passive restoration measures; and where consistent with the resource capabilities of the area and the purposes of this management unit, aquaculture, communication facilities, and active restoration measures.

(2) Conservation — In all estuaries, except those in the overall Oregon Estuary Classification which are classed for preservation, areas shall be designated for long-term uses of renewable resources that do not require major alteration of the estuary, except for the purpose of restoration. These areas shall be managed to conserve the natural resources and benefits. These shall include areas needed for maintenance and enhancement of biological productivity, recreational and aesthetic uses, and aquaculture. They shall include tracts of significant habitat smaller or of less biological importance than those in (1) above, and oyster and clam beds. Partially altered areas or estuarine areas adjacent to existing development of moderate intensity shall also be included in this classification unless otherwise needed for preservation or development consistent with the overall Oregon Estuary Classification.

Permissible uses in conservation areas shall be those allowed in (1) above; active restoration measures; aquaculture; and communication facilities. Where consistent with resource capabilities of the area and the purposes of this management unit, high-intensity water-dependent recreation; maintenance dredging of existing facilities; minor navigational improvements; mining and mineral extraction; water-dependent users requiring occupation of water surface area by means other than fill; and bridge crossings, shall be appropriate.

(3) Development — In estuaries classified in the overall Oregon Estuary Classification for more intense development or alteration,

Continued on next page

16. ESTUARINE RESOURCES (Continued)

areas shall be designated to provide for navigation and other identified needs for public, commercial, industrial water-dependent uses, consistent with the level of development or alteration allowed by the overall Oregon Estuary Classification. Such areas shall include deep-water areas adjacent or in proximity to the shoreline, navigation channels, subtidal areas for in-water disposal of dredged material and areas of minimal biological significance needed for uses requiring alteration of the estuary.

Permissible uses in areas managed for water-dependent activities shall be navigation and water-dependent commercial and industrial uses. Where consistent with the resource capabilities and the purposes of this management unit, water-related and non-dependent, non-related uses not requiring fill; mining and mineral extraction; and activities identified in (1) and (2) above, shall also be appropriate.

As appropriate, needs for the following uses shall be included:

(a) Dredge or fill, as allowed elsewhere in the goal;
(b) Navigation and water-dependent commercial enterprises and activities;
(c) Water transport channels where dredging may be necessary;
(d) Disposal of dredged material;
(e) Water storage areas where needed for products used in or resulting from industry, commerce, and recreation;
(f) Marinas;
(g) Aquaculture;
(h) Extraction of aggregate resources;
(i) Restoration.

The cumulative effect of all such uses, activities and alterations shall be considered and described during plan development and adoption. In designating areas for these uses, local governments shall consider the potential for using upland sites to reduce or limit the commitment of the estuarine surface area for surface uses.

Priority

Priorities for use of each of the management units shall be designated which maintain, promote, encourage, or enhance uses and activities compatible with the requirements of this Goal, the capability of the resources, and the objectives of the classification.

While the priorities may vary between individual management units consistent with these requirements, the general priorities (from highest to lowest) for use of estuarine resources and for designating different estuarine management units shall be:

(1) Uses which maintain the integrity of the estuarine ecosystem;
(2) Water-dependent uses requiring estuarine location, as consistent with the overall Oregon Estuarine Classification;
(3) Water-related uses which do not degrade or reduce the natural estuarine resources and values; and
(4) Non-dependent, non-related uses which do not alter, reduce or degrade the estuarine resources and values.

IMPLEMENTATION REQUIREMENTS

(1) Unless fully addressed during the development and adoption of comprehensive plans, actions which would potentially alter the integrity of the estuarine ecosystem shall be preceded by a clear presentation of the impacts of the proposed alteration, and a demonstration of the public's need and gain which warrant such modification or loss.

(2) State and federal agencies shall review, revise and implement their plans, actions and management authorities to maintain water quality and minimize man-induced sedimentation in estuaries. Local government shall recognize these authorities in managing lands rather than developing new or duplicatory management techniques or controls.

Existing programs which shall be utilized include:

(a) The Oregon Forest Practices Act and Administrative Rules, for forest lands as defined in ORS 527.610 — 527.730 and 527.990 and the Forest Lands Goal;
(b) The programs of the Soil and Water Conservation Commission and local districts and the Soil Conservation Service, for Agricultural Lands Goal;
(c) The non-point source discharge water quality program administered by the Department of Environmental Quality under Section 208 of the Federal Water Quality Act as amended in 1972 (PL 92-500); and
(d) The Fill and Removal Permit Program administered by the Division of State Lands under ORS 541.605 — 541.665.

(3) The State Water Policy Review Board, assisted by the staff of the Oregon Department of Water Resources, and the Oregon Department of Fish and Wildlife, the Oregon Department of Environmental Quality, the Division of State Lands, and the U. S. Geological Survey, shall consider establishing minimum fresh-water flow rates and standards so that resources and uses of the estuary, including navigation, fish and wildlife characteristics, and recreation, will be maintained.

(4) When dredge or fill activities are permitted in inter-tidal or tidal marsh areas, their effects shall be mitigated by creation or restoration of another area of similar biological potential to insure that the integrity of the estuarine ecosystem is maintained.

(5) Local government and state and federal agencies shall develop comprehensive programs, including specific sites and procedures for disposal and stockpiling of dredge materials. These programs shall encourage the disposal of dredge material in uplands or ocean waters, and shall permit disposal in estuary waters only where such disposal will clearly be consistent with the objectives of this goal and state and federal law. Dredged material shall not be disposed in inter-tidal or tidal marsh estuarine areas unless part of an approved fill project.

(6) Local government and state and federal agencies shall act to restrict the proliferation of individual single-purpose docks and piers by encouraging community facilities common to several uses and interests. The size and shape of a dock or pier shall be limited to that required for the intended use. Alternatives to docks and piers, such as mooring buoys, dryland storage, and launching ramps shall be investigated and considered.

(7) State and federal agencies shall assist local government in identifying areas for restoration. Restoration is appropriate in areas where activities have adversely affected some aspect of the estuarine system, and where it would contribute to a greater achievement of the objective of this goal. Appropriate sites include areas of heavy erosion or sedimentation, degraded fish and wildlife habitat, anadromous fish spawning areas, abandoned diked estuarine marsh areas, and areas where water quality restricts the use of estuarine waters for fish and shellfish harvest and production, or for human recreation.

(8) State agencies with planning, permit, or review authorities affected by this goal shall review their procedures and standards to assure that the objectives and requirements of the goal are fully addressed. In estuarine areas the following authorities are of special concern:

Division of State Lands	
Fill and Removal Law	ORS 541.605 —541.665
Mineral Resources	ORS 273.551; ORS 273.775 —273.780
Submersible and Submerged Lands	ORS 274.005 —274.940
Department of Economic Development	
Ports Planning	ORS 777.835
Water Resources Department	
Appropriation of Water	ORS 537.010 —537.990 ORS 543.010 —543.620
Department of Geology and Mineral Industries	
Mineral Extraction Oil and Gas Drilling	ORS 520.005 —520.095
Department of Forestry	
Forest Practices Act	ORS 527.610 —527.730
Department of Energy	
Regulation of thermal power and nuclear installation	ORS 469.300 —469.570
Department of Environmental Quality	
Water Quality	ORS 468.700 —468.775
Sewage Treatment & Disposal Systems	ORS 454.010 —454.755

Continued on next page

16. ESTUARINE RESOURCES (Continued)

GUIDELINES

The requirements of the Estuarine Resources Goal should be addressed with the same consideration applied to previously adopted goals and guidelines. The planning process described in the Land Use Planning Goal (Goal 2), including the exceptions provisions described in Goal 2, applied to estuarine areas and implementation of the Estuarine Resources Goal.

Because of the strong relationship between estuaries and adjacent coastal shorelands, the inventories and planning requirements for these resources should be closely coordinated. These inventories and plans should also be fully coordinated with the requirements in other state planning goals, especially the Goals for Open Spaces, Scenic and Historic Areas and Natural Resources; Air, Water and Land Resources Quality; Recreational Needs; Transportation; and Economy of the State.

A. Inventories

In detail appropriate to the level of development or alteration proposed, the inventories for estuarine features should include:

1. Physical characteristics
   - (a) Size, shape, surface area, and contour, including water depths;
   - (b) Water characteristics including, but not limited to, salinity, temperature, and dissolved oxygen. Data should reflect average and extreme values for the months of March, June, September, and December as a minimum; and
   - (c) Substrate mapping showing location and extent of rock, gravel, sand, and mud.
2. Biological characteristics
   Location, Description, and Extent of:
   - a. The common species of benthic (living in or on bottom) flora and fauna;
   - b. The fish and wildlife species, including part-time residents;
   - c. The important resting, feeding, and nesting areas for migrating and resident shorebirds, wading birds and wildfowl;
   - d. The areas important for recreational fishing and hunting, including areas used for clam digging and crabbing;
   - e. Estuarine wetlands;
   - f. Fish and shellfish spawning areas;
   - g. Significant natural areas; and
   - h. Areas presently in commercial aquaculture.
3. Social and economic characteristics
   Location, Description, and Extent of:
   - a. The importance of the estuary to the economy of the area;
   - b. Existing land uses surrounding the estuary;
   - c. Man-made alterations of the natural estuarine system;
   - d. Water dependent industrial and/or commercial enterprises;
   - e. Public access;
   - f. Historical or archaeological sites associated with the estuary; and
   - g. Existing transportation systems.

B. Historic, Unique and Scenic Waterfront Communities

Local government comprehensive plans should encourage the maintenance and enhancement of historic, unique, and scenic waterfront communities, allowing for non-water dependent uses as appropriate in keeping with such communities.

C. Transportation

Local governments and state and federal agencies should closely coordinate and integrate navigation and port needs with shoreland and upland transportation facilities and the requirements of the Transportation Goal. The cumulative effects of such plans and facilities on the estuarine resources and values should be considered.

D. Mitigation

In identifying and assesing sites to mitigate the effects of dredging or filling, the following factors should be considered:

1. In selecting sites of similar biological potential, areas should preferably be chosen with similar ecological characteristics. The intention of the requirement is to provide an area that, with time, will develop a qualitatively and quantitatively similar fauna and flora. The emphasis is on similar potential, not substitute productivity. The area provided does not have to be fully developed biologically; the oppportunity, at least, should exist for it to develop once the area is returned to the estuarine system. However, the surface area of the estuary should not be diminished.
2. The most appropriate sites would be those in the general proximity of the proposed dredge or fill action. These would probably contain the most similar ecological characteristics. If similar areas are not available nearby, then areas in other parts of the estuary may be selected according to the similarity of the following characteristics (in order of importance, most important first):
   - a. salinity regime
   - b. tidal exposure and elevation
   - c. substrate type
   - d. current velocity and patterns
   - e. orientation to solar radiation
   - f. slope
3. If similar areas, or those with a similar potential, cannot be found or provided, then mitigation efforts should seek to restore areas or resources which are in the greatest scarcity compared to their past abundance and distribution. That is, those resources which have been most severely impacted by man's activities, measured by a ratio of present to past abundance, should be restored through mitigation.
4. Appropriate locations for mitigation activities include:
   - a. Dredged material islands, which could be lowered (by removal of spoil) to the intertidal level, thus adding the surface area back to the estuarine system;
   - b. Diked marsh areas which have been abandoned or are in disrepair; and
   - c. Estuarine areas removed from effective circulation by causeways or other fills, where circulation can be restored or improved through replacement of the causeway with pilings or culverts.
5. The transfer of ownership of estuarine lands, including wetlands and submersible lands, to public ownership; the dedication of estuarine lands for certain natural uses; and the provision of funds for research or land acquisition do not constitute mitigation as required by this Goal.

E. Impact Assessment

The impact assessment required in the Goal should be applied at the time of plan development, for alterations projected or identified in the plan, or at the time of permit review and approval for actions not identified in the plan.

The impact assessment should not be lengthy or complex, but it should enable reviewers to gain a clear understanding of the impacts to be expected. It should include information on:

1. The type and extent of alterations expected;
2. The type of resource(s) affected;
3. The expected extent of impacts of the proposed alteration on water quality and other physical characteristics of the estuary, living resources, recreation and aesthetic use, navigation and other existing and potential uses of the estuary; and
4. The methods which could be employed to avoid or minimize adverse impacts.

17. COASTAL SHORELANDS

GOAL

OVERALL STATEMENT

To conserve, protect, where appropriate develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and

To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

Programs to achieve these objectives shall be developed by local, state, and federal agencies having jurisdiction over coastal shorelands.

Land use plans, implementing actions and permit reviews shall include consideration of the critical relationships between coastal shorelands and resources of coastal waters, and of the geologic and hydrologic hazards associated with coastal shorelands. Local, state and federal agencies shall within the limit of their authorities maintain the diverse environmental, economic, and social values of coastal shorelands and water quality in coastal waters. Within those limits, they shall also minimize man-induced sedimentation in estuaries, near shore ocean waters, and coastal lakes.

INVENTORY REQUIREMENTS

Inventories shall be conducted to provide information necessary for identifying coastal shorelands and designating uses and policies. These inventories shall provide information on the nature, location, and extent of geologic and hydrologic hazards and shoreland values, including fish and wildlife habitat, water-dependent uses, economic resources, recreational uses, and aesthetics in sufficient detail to establish a sound basis for land and water use management.

The inventory requirements shall be applied within an area known as a coastal shorelands planning area. This planning area is not an area within which development or use is prohibited. It is an area for inventory, study, and initial planning for development and use to meet the Coastal Shorelands Goal.

The planning area shall be defined by the following:

(1) All lands west of the Oregon Coast Highway as described in ORS 366.235, except that:

(a) In Tillamook County, only the lands west of a line formed by connecting the western boundaries of the following described roadways: Brooten Road (County Road 887) northerly from its junction with the Oregon Coast Highway to Pacific City McPhillips Drive (County Road 915) northerly from Pacific City to its junction with Sandlake Road (County Road 871), Sandlake—Cape Lookout Road, (County Road 871) northerly to its junction with Cape Lookout Park, Netarts Bay Drive (County Road 665) northerly from its junction with the Sandlake—Cape Lookout Road (County road 871) to its junction at Netarts with State Highway 131, and northerly along State Highway 131 to its junction with the Oregon Coast Highway near Tillamook.

(b) In Coos County, only the lands west of a line formed by connecting the western boundaries of the following described roadways: Oregon State 240, Cape Arago Secondary (FAS 263) southerly from its junction with the Oregon Coast Highway to Charleston; Seven Devils Road (County Road 33) southerly from its junction with Oregon State 240 (FAS 263) to its junction with the Oregon Coast Highway, near Bandon;

and

(2) All lands within an area defined by a line measured horizontally:

(a) 1000 feet from the shoreline of estuaries; and
(b) 500 feet from the shoreline of coastal lakes.

COMPREHENSIVE PLAN REQUIREMENTS

Based upon inventories, comprehensive plans for coastal areas adjacent to the ocean, estuaries, or coastal lakes shall:

(1) identify coastal shorelands;
(2) establish policies and uses of coastal shorelands in accordance with standards set forth below:

Identification

Land contiguous with the ocean, estuaries, and coastal lakes shall be identified as coastal shorelands. The extent of shorelands shall include at least:

(1) Lands which limit, control, or are directly affected by the hydraulic action of the coastal water body, including floodways;
(2) Adjacent areas of geologic instability;
(3) Natural or man-made riparian resources, especially vegetation necessary to stabilize the shoreline and to maintain water quality and temperature necessary for the maintenance of fish habitat and spawning areas;
(4) Areas of significant shoreland and wetland biological habitats;
(5) Areas necessary for water-dependent and water-related uses, including areas of recreational importance which utilize coastal water or riparian resources, areas appropriate for navigation and port facilities, and areas having characteristics suitable for aquaculture;
(6) Areas of exceptional aesthetic or scenic quality, where the quality is primarily derived from or related to the association with coastal water areas; and
(7) Coastal headlands.

Coastal Shoreland Uses

(1) Major marshes, significant wildlife habitat, coastal headlands, exceptional aesthetic resources, and historic and archaeological sites shall be protected. Uses in these areas shall be consistent with protection of natural values. Such uses may include propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting wild crops, and low intensity water-dependent recreation.

(2) Shorelands in urban and urbanizable areas especially suited for water-dependent uses shall be protected for water-dependent recreational, commercial and industrial uses. Some factors which contribute to this special suitability are:

(a) deep water close to shore with supporting land transport facilities suitable for ship and barge facilities;
(b) potential for aquaculture;
(c) protected areas subject to scour which would require little dredging for use as marinas; and
(d) potential for recreational utilization of coastal water or riparian resources.

(3) Shorelands in rural areas other than those designated in (1) above shall be used as appropriate for:

(a) farm uses as provided in ORS Chapter 215;
(b) propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
(c) private and public water-dependent recreation developments;
(d) aquaculture;
(e) water-dependent commercial and industrial uses and water-related uses only upon a finding by the governing body of the county that such uses satisfy a need which cannot be accommodated on shorelands in urban and urbanizable areas;
(f) subdivisions, major and minor partitions and other uses only upon a finding by the governing body of the county that such uses satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas and are compatible with the objectives of this goal to protect riparian vegetation and wildlife habitat; and
(g) a single family residence on existing lots, parcels or units of land when compatible with the objectives and implementation standards of this goal.

Priority

General priorities for the overall use of coastal shorelands (from highest to lowest) shall be to:

(1) Promote uses which maintain the integrity of estuaries and coastal waters;
(2) Provide for water-dependent uses;
(3) Provide for water-related uses;
(4) Provide for non-dependent, non-

Continued on next page

17. COASTAL SHORELANDS (Continued)

related uses which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;

(5) Provide for development, including non-dependent, non-related uses, in urban areas compatible with existing or committed uses;

(6) Permit non-dependent, non-related uses which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.

IMPLEMENTATION REQUIREMENTS

(1) The Oregon Department of Forestry shall recognize the unique and special values provided by coastal shorelands when developing standards and policies to regulate uses of forest lands within coastal shorelands. With other state and federal agencies, the Department of Forestry shall develop forest management practices and policies which protect and maintain the special shoreland values and forest uses.

(2) The land use planning and regulatory authorities of local government and state and federal agencies shall manage floodplain areas in coastal shorelands to promote use and development consistent with the hazards to life and property. Priority uses for flood hazard and floodplain areas shall include agriculture, forestry, recreation and open space, and uses which are water-dependent.

(3) Local government, with assistance from state and federal agencies, shall identify coastal shoreland areas which may be used to fulfill the mitigation requirement of the Estuarine Resources Goal. These areas shall be protected from new uses and activities which would prevent their ultimate restoration or addition to the estuarine ecosystems.

(4) Coastal shorelands identified under the Estuarine Resources Goal for dredged material disposal shall be protected from new uses and activities which would prevent their ultimate use for dredged material disposal.

(5) Because of the importance of the vegetative fringe adjacent to coastal waters to water quality, fish and wildlife habitat, recreational use and aesthetic resource, riparian vegetation shall be maintained; and where appropriate restored and enhanced, consistent with water-dependent uses.

(6) Land-use managment practices and non-structural solutions to problems of erosion and flooding shall be preferred to structural solutions. Where shown to be necessary, water and erosion control structures, such as jetties, bulkheads, seawalls, and similar protective structures; and fill, whether located in the waterways or on shorelands above ordinary high water mark, shall be designed to minimize adverse impacts on water currents, erosion and accretion patterns.

GUIDELINES

The requirements of the Coastal Shorelands Goal should be addressed with the same consideration as applied to previously adopted goals and guidelines. The planning process described in the Land Use Planning Goal (Goal 2), including the exceptions provisions in Goal 2, applies to coastal shoreland areas and implementation of the Coastal Shorelands Goal.

Because of the strong relation of estuarine shorelands to adjacent estuaries, the inventory and planning requirements for estuaries and estuarine shorelands should be fully coordinated. Coastal shoreland inventories and planning should also be fully coordinated with those required in other statewide planning goals, supplementing them where necessary. Of special importance are the plan requirements of the Goals for Agricultural Lands; Forest Lands; Open Spaces, Scenic and Historic Areas and Natural Resources; Air, Water and Land Resources Quality; Areas Subject to Natural Disasters and Hazards; Recreational Needs; and Economy of the State.

A. Inventories

In coastal shoreland areas the following inventory needs should be reviewed. The level of detail information needed will differ depending on the development or alteration proposed and the degree of conflict over the potential designation.

1. Hazard areas, including at least:
   - a. Areas the use of which may result in significant hydraulic alteration of other lands or water bodies;
   - b. Areas of geological instability in, or adjacent to shorelines; and
   - c. The 100 Year Floodplain.
2. Existing land uses and ownership patterns, economic resources, development needs, public facilities, topography, hydrography, and similar information affecting shorelands;
3. Areas of aesthetic and scenic importance;
4. Coastal shoreland and wetland biological habitats which are dependent upon the adjacent water body, plus other coastal shoreland and adjacent aquatic areas of biological importance (feeding grounds, nesting sites, areas of high productivity, etc.,) natural areas and fish and wildlife habitats;
5. Areas of recreational importance;
6. Areas of vegetative cover which are riparian in nature or which function to maintain water quality and to stabilize the shoreline;
7. Sedimentation sources;
8. Areas of present public access and recreational use;
9. The location of archaeological and historial sites; and
10. Coastal headlands.

B. Floodplain

In the development of comprehensive plans, the management of uses and development in floodplain areas should be expanded beyond the minimal considerations necessary to comply with the HUD National Flood Insurance Program and the requirements of the Flood Disaster Protection Act of 1973. Communities may wish to distinguish between the floodway and floodfringe in developing coastal shoreland plans; development in the floodway should be more strictly controlled.

Government projects in coastal shorelands should be examined for their impact on flooding, potential flood damage, and effect on growth patterns in the floodplain. Non-water-dependent emergency service structures (such as hospitals, police and fire stations) should not be constructed in the floodplain. Although they may be floodproofed, access and egress may be prevented during a flood emergency.

C. Open Space, Natural Areas and Aesthetic Resources, and Recreation

Coastal Shorelands provide many areas of unique or exceptional value and benefit for open space, natural areas, and aesthetic and recreational use. The requirements of the goals for Open Spaces, Scenic and Historic Areas and Natural Resources (Goal No. 5) and Recreational Needs (Goal No. 8) should be carefully coordinated with the coastal shoreland planning effort.

The plan should provide for appropriate public access to and recreational use of coastal waters. Public access through and the use of private property shall require the consent of the owner and is a trespass unless appropriate easements and access have been acquired in accordance with law.

D. Development Needs

In coordination with planning for the Estuarine Resources Goal, coastal shoreland plans should designate appropriate sites for water-dependent activities, and for dredged material disposal.

Historic, unique, and scenic waterfront communities should be maintained and enhanced, allowing for non-water-dependent uses as appropriate in keeping with such communities.

E. Transportation

The requirements of the Transportation Goal should be closely coordinated with the Coastal Shorelands Goal. Coastal transportation systems frequently utilize shoreland areas and may significantly affect the resources and values of coastal shorelands and adjacent waters; they should allow appropriate access to coastal shorelands and adjacent waters, and be planned in full recognition of the protection needs for the special resources and benefits which shorelands provide.

18.

BEACHES AND DUNES

GOAL

OVERALL STATEMENT

To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and

To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

Coastal comprehensive plans and implementing actions shall provide for diverse and appropriate use of beach and dune areas consistent with their ecological, recreational, aesthetic, water resource, and economic values, and consistent with the natural limitations of beaches, dunes and dune vegetation for development.

INVENTORY REQUIREMENTS

Inventories shall be conducted to provide information necessary for identifying and designating beach and dune uses and policies. Inventories shall describe the stability, movement, groundwater resource, hazards and values of the beach and dune areas in sufficient detail to establish a sound basis for planing and management. For beach and dune areas adjacent to coastal waters inventories shall also address the inventory requirements of the Coastal Shorelands Goal.

COMPREHENSIVE PLAN REQUIREMENTS

Based upon the inventory, comprehensive plans for coastal areas shall:

(1) identify beach and dune areas; and
(2) establish policies and uses for these areas consistent with the provisions of this goal.

Identification

Coastal areas subject to this goal shall include beaches, active dune forms, recently stabilized dune forms, older stabilized dune forms and interdune forms.

Uses

Uses shall be based on the capabilities and limitations of beach and dune areas to sustain different levels of use or development, and the need to protect areas of critical environmental concern, areas having scenic, scientific, or biological importance, and significant wildlife habitat.

IMPLEMENTATION REQUIREMENTS

(1) Local governments and state and federal agencies shall base decisions on plans, ordinances and land use actions in beach and dune areas, other than older stabilized dunes, on specific findings that shall include at least:

   (a) the type of use proposed and the adverse effects it might have on the site and adjacent areas;
   (b) temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;
   (c) methods for protecting the surrounding area from any adverse effects of the development; and
   (d) hazards to life, public and private property, and the natural environment which may be caused by the proposed use.

(2) Local governments and state and federal agencies shall prohibit residential developments and commercial and industrial buildings on active fordunes, on other fordunes which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and on interdune areas (deflation plains) that are subject to ocean flooding. Other development in these areas shall be permitted only if the findings required in (1) above are presented and it is demonstated that the proposed developent:

   (a) is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves; or is of minimal value; and
   (b) is designed to minimize adverse environmental effects.

(3) Local governments and state and federal agencies shall regulate actions in beach and dune areas to minimize the resulting erosion. Such actions include, but are not limited to the destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage), the exposure of stable and conditionally stable areas to erosion, and construction of shore structures which modify current or wave patterns leading to beach erosion.

(4) Local, state and federal plans, implementing actions and permit reviews shall protect the groundwater from drawdown which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of salt water into water supplies.

(5) Permits for beach front protective structures shall be issued under ORS 390.605 — 390.770, only where development existed on January 1, 1977. The Oregon Department of Transportation, cooperating with local, state and federal agencies shall develop criteria to supplement the Oregon Beach Law (ORS 390.605 — 390.770) for issuing permits for construction of beach front protective structures. The criteria shall provide that:

   (a) visual impacts are minimized;
   (b) necessary access to the beach is maintained;
   (c) negative impacts on adjacent property are minimized; and
   (d) long-term or recurring costs to the public are avoided.

(6) Foredunes shall be breached only to replenish sand supply in interdune areas, or on a temporary basis in an emergency (e.g., fire control, cleaning up oil spills, draining farm lands, and alleviating flood hazards), and only if the breaching and restoration after breaching is consistent with sound principles of conservation.

GUIDELINES

The requirements of the Beaches and Dunes Goal should be addressed with the same consideration as applied to previously adopted goals and guidelines. The planning process described in the Land Use Planning Goal (Goal 2), including the exceptions provisions described in Goal 2, applies to beaches and dune areas and implementation of the Beaches and Dunes Goal.

Beaches and dunes, especially interdune areas (deflation plains) provide many unique or exceptional resources which should be addressed in the inventories and planning requirements of other goals, especially the Goals for Open Spaces, Scenic and Historic Areas and Natural Resources; and Recreational Needs. Habitat provided by these areas for coastal and migratory species is of special importance.

A. Inventories

Local government should begin the beach and dune inventory with a review of **Beaches and Dunes of the Oregon Coast**, USDA Soil Conservation Service and OCCDC, March, 1975, and determine what additional information is necessary to identify and describe:

1. The geologic nature and stability of the beach and dune landforms;
2. patterns of erosion, accretion, and migration ;
3. storm and ocean flood hazards;
4. existing and projected use, development and economic activity on the beach and dune landforms; and
5. areas of significant biological importance.

B. Examples of Minimal Development

Examples of development activity which are of minimal value and suitable for development in conditionally stable dunes and deflation plains include beach and dune boardwalks, fences which do not affect sand erosion or migration, and temporary open-sided shelters.

C. Evaluating Beach and Dune Plans and Actions

Local government should adopt strict controls for carrying out the implementation Requirements of this goal. The controls could include:

1. requirement of a site investigation report financed by the developer;
2. posting of performance bonds to assure that adverse effects can be corrected; and
3. requirement of re-establishing vegetation within a specified time.

D. Sand By-Pass

In developing structures that might excessively reduce the sand supply or interrupt the longshore transport or littoral drift, the developer should investigate, and where possible, provide methods of sand by-pass.

E. Public Access

Where appropriate, local government should require new developments to dedicate easements for public access to public beaches, dunes and associated waters. Access into or through dune areas, particularly conditionally stable dunes and dune complexes, should be controlled or designed to maintain the stability of the area, protect scenic values and avoid fire hazards.

F. Dune Stabilization

Dune stabilization programs should be allowed only when in conformance with the comprehensive plan, and only after assessment of their potential impact.

G. Off Road Vehicles

Appropriate levels of government should designate specific areas for the recreational use of off road vehicles (ORV's). This use should be restricted to limit damage to natural resources and avoid conflict with other activities, including other recreational use.

19.

OCEAN RESOURCES

GOAL

OVERALL STATEMENT

To conserve the long-term values, benefits and natural resources of the nearshore ocean and the continental shelf.

All local, state, and federal plans, policies, projects, and activities which affect the territorial sea shall be developed, managed and conducted to maintain, and where appropriate, enhance and restore, the long-term benefits derived from the nearshore oceanic resources of Oregon. Since renewable ocean resources and uses, such as food production, water quality, navigation, recreation, and aesthetic enjoyment, will provide greater long-term benefits than will non-renewable resources, such plans and activities shall give clear priority to the proper management and protection of renewable resources.

INVENTORY REQUIREMENTS

As local governments and state and federal agencies implement plans or carry out actions, projects, or activities related to or affecting ocean resources, they shall develop inventory information necessary to understand the impacts and relationship of the proposed activity to continental shelf and nearshore ocean resources. As specific actions are proposed, inventory information shall be gathered by the unit of government considering the action with assistance from those agencies and governments which use or manage the resources. The inventory shall be sufficient to describe the long-term impacts of the proposed action on resources and uses of the continental shelf and nearshore ocean.

IMPLEMENTATION REQUIREMENTS

(1) State and federal agencies with planning, permit, or review authorities affected by the Ocean Resources Goal shall review their procedures and standards to assure that the objectives and requirements of the goal are fully addressed. The following authorities are of special concern:

Division of State Lands	
Fill and Removal Law	ORS 541.605 —541.665
Mineral Resources	ORS 273.775 —273.780
Submersible and Submerged lands	ORS 274.005 —274.940
Kelp Law	ORS 274.885 —274.895
Department of Economic Development	
Ports Planning	ORS 777.835
Department of Geology and Mineral Industries	
Mineral Extraction	ORS 520.005
Oil and Gas Drilling	—520.095
Department of Energy	
Regulation of thermal power and nuclear installation	ORS 469.300 —469.570
Department of Environmental Quality	
Water Quality Permits	ORS 468.700 —468.775
Oil spillage Regulation	ORS 468.780 —468.815
Department of Fish and Wildlife	
Fisheries regulation	ORS Chapter 506

(2) Each state and federal agency, special district, city and county within the limits of its jurisdiction and as necessary to:

(i) determine the impact of proposed projects or actions; and

(ii) for the sound conservation of ocean resources; shall:

(a) Fishery Resources

(i) Develop scientific information on the stocks and life histories of commercially, recreationally, and ecologically important species of fish, shellfish, marine mammals and other marine fauna.

(ii) Designate and enforce fishing regulations to maintain the optimum sustainable yield (OSY) while protecting the natural marine ecosystem.

(iii) Develop and encourage improved fishing practices and equipment to achieve the OSY while protecting the natural marine ecosystem.

(iv) Develop scientific understanding of the effects of man's activities, including navigation, mineral extraction, recreation, and waste discharge, on the marine ecosystem.

(b) Biological Habitat

(i) Identify and protect areas of important biological habitat, including kelp and other algae beds, seagrass beds, rock reef areas and areas of important fish, shellfish and invertebrate concentration.

(ii) Identify and protect important feeding areas; spawning areas; nurseries; migration routes; and other biologically important areas of marine mammals, marine birds, and commercially and recreationally important fish and shellfish.

(iii) Determine and protect the integrity of the marine ecosystem, including its natural biological productivity and diversity.

(c) Navigation and Ports

(i) Determine for the state as a whole, the navigation needs for the coast of Oregon. Such needs will reflect, in part, the capability of each port to handle differing types of ship traffic, consistent with other statewide planning goals.

(ii) Maintain appropriate navigation lanes and facilities free from interference by other uses to provide safe transportation along and to the Oregon Coast.

(d) Aesthetic Use

Maintain the aesthetic enjoyment and experiences provided by ocean resources.

(e) Recreation

Identify, maintain and enhance the diversity, quality, and quantity of recreational opportunities on and over the Oregon continental shelf, as consistent with the Beaches and Dunes Goal and Estuarine Resources Goal.

(f) Waste Discharge and Mineral Extraction

Provide that extraction of materials from or discharge of waste products into or affecting the Oregon territorial sea do not substantially interfere with or detract from the use of the continental shelf for fishing, navigation, recreation, or aesthetic purposes, or from the long-term protection of renewable resources.

(g) Dredged Material Disposal

Provide for suitable sites and practices for the open sea discharge of dredged materials, which do not substantially interfere with or detract from the use of the continental shelf for fishing, navigation, or recreation, or from the long-term protection of renewable resources.

(h) Archaeological Sites

Identify and protect, whenever possible, significant underwater archaeological sites of the continental shelf.

(3) Contingency Plans

Before issuing permits for development on the Oregon continental shelf, state and federal agencies, in coordination with the permitee, shall establish contingency plans and emergency procedures to be followed in the event that the operation results in conditions which threaten to damage the environment.

GUIDELINES

A. Implementation

The Ocean Resources Goal does not include any specific plan requirements. It primarily sets implementation requirements, giving priority to certain uses and requiring that actions affecting Ocean Resources must be preceded by an inventory and based on sound information.

These requirements address all units of government. Examples of plans, actions or programs of local government which might affect the identified ocean resources include construction and expansion of port and navigation facilities, recreation use, and disposal of chemical, thermal, sewage or dredged material wastes. Other kinds of actions in ocean resource and continental shelf areas are primarily under the regulatory authority of state and federal agencies; these activities must be closely coordinated with local government to

Continued on next page

19. OCEAN RESOURCES (Continued)

avoid or minimize impact on adjacent and affected upland areas.

B. Inventory

The goal does not intend that local government and state and federal agencies develop complete inventories of ocean resources. Rather, it requires that actions affecting the nearshore ocean and continental shelf areas be based upon a sound understanding of the resources and potential impacts. Therefore, the inventory should identify the affected ocean area and describe the extent and significance of:

1. Hydrographic conditions and processes, including characteristics of ocean waves, current, tidal, water quality, and bottom;
2. Geology;
3. Biological features, including fish and shellfish stocks; other biologically important species; important habitat areas inlcuding sea grass and algae beds; and other elements important to maintaining the biological resource such as plankton and benthos;
4. Mineral deposits, including sand and gravel and hydrocarbon resources; and
5. Present and projected uses, use patterns, and values associated with the ocean resource, including commercial fishing, port and navigation uses, recreational activities, and waste discharges.

C. Research

Resource agencies and research organizations should continue to develop complete and comprehensive information on ocean resources to promote their proper management and protection.

D. Fish Harvest

State and federal agencies should encourage, where appropriate and in keeping with sound practices for conservation of ocean resources, the exploitation of unutilized and underutilized fish species.

E. Permits

Permits for development on the Oregon continental shelf should:

1. Designate areas within the proposed development where activities such as exploration and extraction, will be prohibited;
2. Specify methods and equipment to be used and standards to be met;
3. Require the developer to finance monitoring and inspection of the development by the appropriate state agency;
4. Require that pollution abatement utilize the best available technology when needed to protect coastal resources;
5. Require the developer to be liable for individual or public damage caused by the development and to post adequate bonding or other evidence of financial responsibility to cover damages;
6. Specify the extent of restoration that must be accomplished, where appropriate, when the development is finished;
7. Specify that the state or federal government may revoke or modify a permit to prevent or halt damage to the environment and that such revocation or modification will recognize vested rights of the developer;
8. Require the developer to describe the extent and magnitude of onshore support and operation facilities and their social, economic and environmental impacts on the Oregon coast; and
9. Be available for public review and comment before issuance.

Notes

DEFINITIONS

ACCRETION: The build-up of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

AGRICULTURAL LAND: See definition in Agricultural Lands Goal.

ANADROMOUS: Referring to fish, such as salmon, which hatch in fresh water, migrate to ocean waters to grow and mature, and return to fresh waters to spawn.

ARCHAEOLOGICAL RESOURCES: Those districts, sites, buildings, structures, and artifacts which posess material evidence of human life and culture of the prehistoric and historic past. (See Historical Resources definition.)

AVULSION: A tearing away or separation by the force of water. Land which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

BEACH: Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform, or to the line of vegetation.

BENTHIC: Living on or within the bottom sediments in water bodies.

CARRYING CAPACITY: Level of use which can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land and water resources.

CITIZEN: Any individual with the planning area; any public or private entity or association within the planning area, including corporation, governmental and private agencies, associations, firms, partnerships, joint stock companies and any group of citizens.

COASTAL LAKES: Lakes in the coastal zone that are created by a dune formation or that have a hydrologic surface or subsurface connection with saltwater.

COASTAL SHORELANDS: Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.

COASTAL STREAM: Any stream within the coastal zone as defined in ORS 191.110.

COASTAL WATERS: Territorial ocean waters of the continental shelf; estuaries; and coastal lakes.

COASTAL ZONE: The area lying between the Washington border on the north to the California border on the south, bounded on the west by the extent of the state's jurisdiction, and in the east by the crest of the coastal mountain range, with the exception of: (a) The Umpqua River basin, where the coastal zone shall extend to Scottsburg; (b) The Rogue River basin, where the coastal zone shall extend to Agness; (c) The Columbia River basin, where the coastal zone shall extend to the downstream end of Puget Island. (ORS 191.110)

CONSERVE: To manage in a manner which avoids wasteful or destructive uses and provides for future availability.

CONSERVATION: The act of conserving the environment.

CONTINENTAL SHELF: The area seaward from the ocean shore to the distance when the ocean depth is 200 meters, or where the ocean floor slopes more steeply to the deep ocean floor. The area beyond the state's jurisdiction is the OUTER Continental Shelf.

DEFLATION PLAIN: The broad interdune area which is wind scoured to the level of the summer water table.

DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access.

DEVELOPMENT: The act, process or result of developing.

DIVERSITY: The variety of natural, environmental, economic, and social resources, values, benefits, and activities.

DUNE: A hill or ridge of sand built up by the wind along sandy coasts.

DUNE, ACTIVE: A dune that migrates, grows and diminishes from the face of wind and supply of sand. Active dunes include all open sand dunes, active hummocks, and active foredunes.

DUNE, CONDITIONALLY STABLE: A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.

DUNE, OLDER STABILIZED: A dune that is stable from wind erosion, and that has significant soil development and that may include diverse forest cover. They include older foredunes.

DUNE, OPEN SAND: A collective term for active, unvegetative dune landforms.

DUNE, RECENTLY STABILIZED: A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of the sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.

DUNES, YOUNGER STABILIZED: A wind stable dune with weakly developed soils and vegetation.

DUNE COMPLEX: Various patterns of small dunes with partially stabilized intervening areas.

ECOSYSTEM: The living and non-living components of the environment which interact or function together, including plant and animal organisms, the physical environment, and the energy systems in which they exist. All the components of an ecosystem are inter-related.

ENCOURAGE: Stimulate; give help to; foster.

ESTUARY: A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usualy diluted by freshwater derived from the land. The estuary includes: (a) Estuarine water; (b) Tidelands; (c) Tidal marshes; and (d) Submerged lands. Estuaries extend upstream to the head of tidewater, except for the Columbia River Estuary, which by definition is considered to extend to the western edge of Puget Island.

FILL: The placement by man of sand, sediment, or other material, usually in submerged lands or wetlands, to create new uplands or raise the elevation of land.

FLOODPLAIN: The area adjoining a stream, tidal estuary or coast that is subject to regional flooding.

A REGIONAL (100-YEAR) FLOOD is a standard statistical calculation used by engineers to determine the probability of severe flooding. It represents the largest flood which has a one-percent chance of occuring in any one year in an area as a result of periods of higher than normal rainfall or streamflows, extremely high tides, high winds, rapid snowmelt, natural stream blockages, tsunamis, or combinations thereof.

FLOODWAY: The normal stream channel and the adjoining area of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot increase in upstream flood elevations.

FLOODFRINGE: The area of the floodplain lying outside of the floodway, but subject to periodic inundation from flooding.

FOREDUNE, ACTIVE: An unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass, and occur in sand spits and at river mouths as well as elsewhere.

FOREDUNE CONDITIONALLY STABLE: An active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.

FOREDUNE, OLDER: A conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

FOREST LANDS: See definition of commercial forest lands and uses in the Oregon Forest Practices Act and the Forest Lands Goal.

GEOLOGIC: Relating to the occurence and properties of earth. Geologic hazards include faults, land and mudslides, and earthquakes.

HEADLANDS: Bluffs, promontories or points of high shore land jutting out into the ocean, generally sloping abruptly into the water. Oregon headlands are generally identified in the report on **Visual Resource Analysis of the Oregon Coastal Zone, OCCDC, 1974.**

HISTORICAL RESOURCES: Those districts, sites, buildings, structures, and artifacts which have a relationship to events or conditions of the human past. (See Archaeological Resources definition.)

HUMMOCK, ACTIVE: Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

HYDRAULIC: Related to the movement or pressure of water. Hydraulic hazards are those associated with erosion or sedimentation caused by the action of water flowing in a river or streambed, or oceanic currents and waves.

HYDRAULIC PROCESSES: Actions resulting from the effect of moving water or water pressure on the bed, banks, and shorelands of water bodies (ocean, estuaries, streams, lakes, and rivers).

HYDROGRAPHY: The study, description and mapping of oceans, estuaries, rivers and lakes.

HYDROLOGIC: Relating to the occurrence and properties of water. Hydrologic hazards including flooding (the rise of water) as well as hydraulic hazards associated with the movement of water.

IMPACT: The consequences of a course of action; the effect of a goal, guideline, plan, or decision.

INSURE: (Ensure) Guarantee; make sure or certain something will happen.

INTEGRITY: The quality or state of being complete and functionally unimpaired; the wholeness or entirety of a body or system, including its parts, materials, and processes. The integrity of an ecosystem emphasizes the inter-relatedness of all parts and the unity of its whole.

INTERDUNE AREA: Low-lying areas between higher sand landforms which are generally under water during part of the year. (See also Delfation Plain.)

INTERTIDAL: Between the levels of mean

Continued on next page

DEFINITIONS (Continued)

lower low tide (MLLT) and mean higher high tide (MHHT).

KEY FACILITIES: Basic facilities that are primarily planned for by local government but which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, sewage and solid waste disposal.

LCDC: Land Conservation and Development Commission of the State of Oregon. Seven lay-citizens, non-salaried, appointed by the Governor, confirmed by the Oregon Senate; at least one commissioner from each Congressional District; no more than two from Multnomah County.

LITTORAL DRIFT: The material moved, such as sand or gravel, in the littoral (shallow water nearshore) zone under the influence of waves and currents.

MAINTAIN: Support, keep and continue in an existing state or condition without decline.

MANAGEMENT UNIT: A discrete geographic area, defined by biophysical characteristics and features, within which particular uses and activities are promoted, encouraged, protected, or enhanced, and others are discouraged, restricted, or prohibited.

NATURAL AREAS: Includes land and water that has substantially retained its natural character, which is an important habitat for plant, animal, or marine life. Such areas are not necessarily completely natural or undisturbed, but can be significant for the study of natural, historical, scientific, or paleontological features, or for the appreciation of natural features.

NATURAL RESOURCES: Air, land and water and the elements thereof which are valued for their existing and potential usefulness to man.

OCCDC: Oregon Coastal Conservation and Development Commission, created by ORS 191; existed from 1971 to 1975. Its work is continued by LCDC.

OCEAN FLOODING: The flooding of lowland areas by salt water owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to Ocean Flooding include beaches, marshes, coastal lowlands, and low-lying interdune areas. The highest predicted tide is approximately six (6) feet above Mean Sea Level (MSL). The highest probable storm surge is four to seven (4-7) feet above prevailing tidal elevation. The highest probable tsunami is approximately 14 feet above prevailing tidal elevation in mouths of estuaries and slightly higher on beaches. Because tidal flooding occurs twice daily, the effect of high tide is superposed on that of storm surges or tsunamis in determining the impact of these phenomena.

PLANNING AREA: The air, land and water resources within the jurisdiction of a governmental agency.

POLLUTION: The violation or threatened violation of applicable state or federal environmental quality statutes, rules and standards.

PRESERVE: To save from change or loss and reserve for a special purpose.

PROGRAM: Proposed or desired plan or course of proceedings and action.

PROTECT: Save or shield from loss, destruction, or injury or for future intended use.

PROVIDE: Prepare, plan for, and supply what is needed.

PUBLIC FACILITIES AND SERVICES: Projects, activities and facilities which the planning agency determines to be necessary for the public health, safety and welfare.

PUBLIC GAIN: The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

QUALITY: The degree of excellence or relative goodness.

RECREATION: Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction.

COASTAL RECREATION occurs in offshore ocean waters, estuaries, and streams, along beaches and bluffs, and in adjacent shorelands. It includes a variety of activities, from swimming, scuba diving, boating, fishing, hunting, and use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing, to coastal resorts and water-oriented restaurants.

LOW INTENSITY RECREATION does not require developed facilities and can be accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low intensity recreation.

HIGH INTENSITY RECREATION uses specially built facilities, or occurs in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high intensity recreation.

RESTORE: Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities, or catastrophic events.

ACTIVE RESTORATION involves the use of specific positive remedial actions, such as removing fills, installing water treatment facilities, or rebuilding deteriorated urban waterfront areas.

PASSIVE RESTORATION is the use of natural processes, sequences, and timing or which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

RIPARIAN: Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

RIPRAP: A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

RURAL LAND: Rural lands are those which are outside the urban growth boundary and are: (a) Non-urban agricultural, forest or open space lands or, (b) Other lands suitable for sparse settlement, small farms or acreage homesites with no or hardly any public services, and which are not suitable, necessary or intended for urban use.

SEDENTARY: Attached firmly to the bottom, generally incapable of movement.

SHORELINE: The boundary line between a body of water and the land, measured on tidal waters at mean higher high water, and on non-tidal waterways at the ordinary high water mark.

SIGNIFICANT HABITAT AREAS: A land or water area where sustaining the natural resource characteristics is important or essential to the production and maintenance of aquatic life or wildlife populations.

SOCIAL CONSEQUENCES: The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.

STRUCTURE: Anything constructed or installed or portable, the use of which requires a location on a parcel of land.

SUBSTRATE: The medium upon which an organism lives and grows. The surface of the land or bottom of a water body.

SUBTIDAL: Below the level of mean lower tide (MLLT).

TERRITORIAL SEA: The ocean and seafloor area from mean lower water seaward three nautical miles.

TIDAL MARSH: Wetlands from lower high water (LHW) inland to the line of non-aquatic vegetation.

URBAN LAND: Urban areas are those places which must have an incorporated city. Such areas may include lands adjacent to and outside the incorporated city and may also; (a) Have concentrations of persons who generally reside and work in the area (b) Have supporting public facilities and services.

URBANIZABLE LAND: Urbanizable lands are those lands within the urban growth boundary and which are identified and (a) Determined to be necessary and suitable for future urban areas (b) Can be served by urban services and facilities (c) Are needed for the expansion of an urban area.

WATER-DEPENDENT: A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water.

WATER-RELATED: Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories; and trailer parks are not generally considered dependent on or related to water location needs.

WETLANDS: Land areas where excess water is the dominant factor determining the nature of soil development and the types of plant and animal comunities living at the soil surface. Wetland soils retain sufficient moisture to support aquatic or semi-aquatic plant life. In marine and estuarine areas, wetlands are bounded at the lower extreme by extreme low water; in freshwater areas, by a depth of six feet. The areas below wetlands are submerged lands.

TESTIMONY OF JOHN W. BROOME

P. O. Box 236, Tualatin, Oregon 97062

COLUMBIA GORGE NATIONAL SCENIC AREA HEARING

Portland, Oregon - 25 March 1983

I wish to voice my support for a Federally protected Gorge. There is probably no perfect or best way to provide protection with latitude for considered development, but the proposed National Scenic Area designation is the best of the schemes proposed so far. Sad to say, I do not believe that the practices of the past will suffice to protect the Gorge in the face of the development pressures that it will face in the future. A lagging regional economy is all that has really protected it in the past few years and with eventual economic recovery and the recent completion of the Interstate 205 freeway, development pressures will increase on both sides of the Gorge, but most particularly on the Washington side where there is more land in private ownership.

The need for locally generated tax revenues and the desire for local job opportunities of all sorts will, surely as I am standing here, force development of improper sorts in improper places. The Port of Hood River looks to land-fill within the river for industrial expansion. Skamania County seeks industrial development, recreational home sites and trailer parks which must be prudently located in order to preserve the scenic value of the Gorge. Heavy industrial development should not be permitted anywhere where its appearance or smoke or effluent or noise will have a detrimental effect upon the Gorge. Quarrying and logging operations need to be carefully studied for their harmful visual effects.

I must say blatently that I do not have faith that the people of Skamania County will make these decisions in favor of the Gorge. Their statements that they have protected the Gorge for the past 100 years must be viewed in the context of little or no development anywhere in the Gorge until the past few years. High unemployment in that county as elsewhere in the Northwest will put terrific pressure on local elected officials to make short term decisions that will have damaging effects on the long term beauty of the Gorge. People come and go but the land, once adversely altered, remains so forever. Today's developer or elected official may tomorrow be living in retirement in Arizona.

If this spectacular Gorge were located east of the Mississippi River, it would have been given National Park status long ago. And, perhaps, if it were nearer Seattle, it would enjoy more Washington congressional support now. We cannot and must not let it go unprotected any longer. It needs protection from rim to rim for its entire length. The protection afforded by National Scenic Area designation need not doom all development in the Gorge. It will only ensure that the 68 or more governmental entities oprating within its boundaries work together toward the preservation of this national scenic treasure. With no overall Federal presence and commitment, local governments will proceed to develop, as they see fit, competing with one another and with small concern for those that follow them or for those who must view the results of their efforts.

I do not accept the argument that the proposed Scenic Area designation threatens the existence and livelihood of present day Gorge residents. That is a scare tactic, and such arguments must not overshadow those that support the concept that the Columbia River Gorge is a national treasure which should be preserved for all Americans of today and for future generations.

While the concept of a Bi-State Compact in collaboration with Federal Agencies has some appeal in a general sense, I doubt that the mechanics of the process can be made to adequately protect the Gorge's scenic values. The process will be too political and the proposed requirement of separate approval by each state will polarize the issues as they are now. I still believe that National Scenic Area designation for the Gorge is the preferred method, short of its classification as a National Park. I do not believe that a bi-state compact that is overweighed with local perocial interest can protect a regional asset of the complexity of the Columbia River Gorge. My vote is for National Scenic Area designation.

Thank you for this opportunity to present my views.

John W. Broome

John W. Broome

JWB:tal

April 6, 1983

Ed Kubicki
39210 E. Crown Point Hwy.
Corbett, OR 97019

Senator Mark Hatfield
Senate Office Building
Washington, D.C. 20510

Dear Mr. Hatfield:

I believe Bill S627 is not strong enough, but I also believe local control cannot preserve the Columbia River Gorge. Therefore, I support Bill S627, and would like this letter to be included in the hearings records.

Sincerely,

Ed Kubicki

Ed Kubicki

Rowena Women's Club
Route 4, Box 279
The Dalles, OR 97058

TESTIMONY FOR PRESENTATION TO HEARING ON COLUMBIA RIVER GORGE "SCENIC AREA" LEGISLATION

March 25, 1983

Gentlemen:

As people whose homes would be in jeopardy and lives adversely affected by passage of the proposed legislation, We would like an opportunity to voice our protest.

At a time when governments at all levels are in deep financial trouble these bills would give the federal government a blank check to use our tax money to condemn, purchase, and remove from the tax rolls of the local governments a great deal of property, displace an unknown number of people and further depress the already troubled local economies.

While it may seem that property rights are protected, past history of such government grabs has shown that once the federal government is in control they do as they please, and property owners have no recourse. Indeed, the Secretary is authorized to acquire any lands he deems necessary to achieve the purposes of the Act. The bill specifically authorizes the acquiring by condemnation of 10% of the total acreage - as yet an unknown area. This would be a much higher percentage of privately owned property since much of the area is already in the hands of the federal government. Further purchases are authorized from "willing sellers" who sell from fear of condemnation. However, after the government has acquired property, it has the right to sell any acquired land to the highest bidder at any time. We question who will end up owning the gorge.

At a time when facilities in our national parks are considered a disgrace and funds are lacking to upgrade them, it seems completely illogical to acquire more. Benefit to the public is highly questionable. The very topography of the gorge protects it from excess development and local planning and use boards are already in existence which have a far better understanding, interest in and love for the area than any Washington, D. C. bureaucracy.

While the bill purports to protect the area from unsightly development it allows for construction resort facilities and upgraded railroad lines. Apprently, the thought is that tax dollars taken out of our pockets have a greater eye for beauty than private investment dollars put into the local economy.

We've had a recent example of this in Rowena when almost a million dollars of federal funds were spent on an existing river front park. A great deal of dirt was moved around to no purpose and the only resulting improvement was an enlarged parking lot. (This is the

Government's idea of beautification?) There is still no adequate access to the park or sanitary facilities!

The bill supposedly makes local governments a partner in planning and management by giving them a representatives on the Regional Commission to draft a management plan but it gives the Secretary of Agriculture power to adopt a management plan disapproved by the Commission, thus bypassing local government and disregarding the needs and wishes of those most concerned.

It is said federal control is necessary to preserve the beauty of the gorge. Will that beauty be enhanced by forcing out the present residents from well loved and cared for homes, boarding them up or bulldozing them down and letting the weeds grow - as has been done in other "scenic areas"? Where are the real eyesores in the gorge? Are they not the property that was abandoned as the result of the construction of the I-80 federal highway and the federal government's mountain of trash below Bonneville dam?

We do not want more of the same! Let Washington, D. C. solve some of its own problems instead of creating another one here.

Rowena Women's Club
Committee to Preserve Property Rights
Route 4 - Box 279
The Dalles, Oregon 97058

Bessie Martin
Bessie Martin - Sec. Treasurer

Statement of F. Stuart Chapin, Jr.
Route 5, Box 90 - White Salmon, WA 98672
for the Hearing in Portland, Oregon, March 25, 1983

of the

Subcommittee on Public Lands and Reserved Water

Senate Committee on Energy and Natural Resources

I am a resident of White Salmon, Washington, in the Columbia River Gorge and a professional land use planner with some 40 years experience dealing with land use matters. I am making this statement as a professional and as a citizen, not representing any organization.

As you know, the proposal for making the Columbia River Gorge a National Scenic Area has been a devisive issue among Gorge residents. But I submit that there is a middle ground which, if there is some give and take from both camps, should provide a quite workable basis for a solution. Also, it so happens that from a professional vantagepoint the middle ground approach in many respects is more practical to administer than the proposal presented in S. 627.

My recommendations are presented in the attached marked up copy of S. 627. There are four main modifications I propose be made be made to the bill.

First, I support the notion of establishing a National Scenic Area in the Gorge under a Federal-State-local partnership as proposed by the Friends of the Columbia Gorge. However, in order for this to be a genuine partnership I strongly urge that the provisions of the bill be modified as it has been introduced so that decision-making authority and management responsibilities are vested in a Regional Columbia Gorge Commission rather than with the Secretary of Agriculture. To make this kind of change, I believe it would be essential to make provision for an Interstate Compact, and this I have done in my proposed revision of the bill (page 10a).

Second, I urge that the process to be followed and the elements to be incorporated in the Management Plan provided for in the bill be spelled out more clearly. I have inserted into the bill some specifics in this respect on pages 18-19.

Third, I suggest a more expeditious way of handling appeals that arise from the administration of the scenic protection program. This is covered under Section 11(d) on pages 32-33.

Finally, I strongly urge that initiation of any litigation that might arise over any part of the scenic area legislation be made in courts within the region, not in the District of Columbia, so as not to be an undue hardship on residents. This involves a minor change in Section 12(b) on page 33.

There are other revisions contained in the marked up copy of S. 627, but these are mainly changes to make the bill consistent with the four kinds of modifications I have just summarized.

I hope you will enter this statement into the record.

Recommendations for revision of this bill
by F. Stuart Chapin, Jr.
Rt. 5, Box 90
White Salmon, WA 98672

98TH CONGRESS
1ST SESSION

S. 627

To authorize the establishment of a national scenic area to assure the protection, development, conservation, and enhancement of the scenic, natural, cultural, and other resource values of the Columbia River Gorge in the States of Oregon and Washington, to establish national policies to assist in the furtherance of this objective, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 1 (legislative day, FEBRUARY 23), 1983

Mr. PACKWOOD (for himself and Mr. HATFIELD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To authorize the establishment of a national scenic area to assure the protection, development, conservation, and enhancement of the scenic, natural, cultural, and other resource values of the Columbia River Gorge in the States of Oregon and Washington, to establish national policies to assist in the furtherance of this objective, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act may be cited as the "Columbia River Gorge Act of 1983".

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Establishment of Area.
Sec. 4. Interstate Compact.
Sec. 5~~4~~. Administration.
Sec. 6~~5~~. Management plan for Area.
Sec. 7~~6~~. Interim protection and management.
Sec. 8~~7~~. Federal activities within the Area.
Sec. 9~~8~~. Intergovernmental cooperation.
Sec. 10~~9~~. Enforcement.
Sec. 11~~10~~. Remedies.
Sec. 12~~11~~. Judicial review.
Sec. 13~~12~~. Acquisition.
Sec. 14~~13~~. Indian treaties.
Sec. 15~~14~~. Authorization of appropriations.
Sec. 16~~15~~. Acquisition fund.
Sec. 17~~16~~. Mitigation of local revenue losses.
Sec. 18~~17~~. Compliance with Budget Act.

FINDINGS AND PURPOSES

SEC. 2. (a) FINDINGS.—The Congress finds that—

(1) the Columbia River Gorge, located in the State of Oregon and the State of Washington, is a spectacular canyon of compelling and majestic beauty formed by the Columbia River cutting through the Cascade Range and dramatically illustrates natural geologic forces;

(2) the Columbia River Gorge is the historic gateway between the Pacific Ocean and the interior of the North American Continent traveled by Native Americans, explorers, traders, and pioneers, and evidencing human habitation for over 11,000 years, and it remains an area of commercial and economic importance to the region, particularly with respect to navigation, trans-

portation, energy production, fisheries, agriculture, and recreation;

(3) the Columbia River Gorge contains magnificent scenic, natural, and recreational values of national significance, including the cascading all-season waterfalls and an extensive system of hiking trails;

(4) scenic viewpoints, highways, and trails are critical recreation facilities heavily used by residents of the Portland-Vancouver metropolitan area and by visitors from around the Pacific Northwest, the Nation, and the world;

(5) the botanical diversity of the Columbia River Gorge ranging from the sagebrush and grasslands of the East to the lush rain forests of the West, including many threatened and endangered species, is unique, due in part to the diverse climate of the area;

(6) human impact on the landscape of the Columbia River Gorge including Federal hydroelectric power development, interstate highway construction, port and navigation facilities, farms, orchards, forest production, cities, and towns, is intense, but, historically, much of the diverse scenic quality of the gorge has been preserved;

(7) the character of much of the landscape of the Columbia River Gorge has been maintained and en-

hanced by existing rural communities which should be protected and maintained;

(8) the existing scenic, historic, recreational, archeological, and scientific qualities of the Columbia River Gorge are threatened by rapid population growth in the nearby Portland, Oregon-Vancouver, Washington metropolitan area, by uncontrolled development, and by the existence of more than fifty local, State, and Federal jurisdictions and agencies with authority within the Columbia River Gorge;

(9) the existing local, State, and Federal planning and regulatory authorities lack sufficient resources to provide for growth management, develop recreational facilities to serve tourists and residents of the metropolitan areas in close proximity to the Columbia River Gorge, and protect the unique scenic resources of the Columbia River Gorge; and

(10) in order to resolve differences, existing and potential, between the various affected jurisdictions in the State of Oregon and the State of Washington over protection and enhancement of the existing character of the Columbia River Gorge, and in order to protect the scenic and other values of Federal lands and facilities located within the Columbia River Gorge, the Federal Government must form a partnership with State and

local governments in the Columbia River Gorge, and focus final decisionmaking authority in a single arbiter, thereby protecting the gorge's nationally significant scenic, natural, and cultural (including historical, archeological, scientific, recreational, and social) resources.

(b) PURPOSES.—The purposes of this Act are—

(1) to protect, conserve, and enhance the scenic, natural, cultural, and other resource values of existing Federal property located in the Columbia River Gorge, including lands administered by the United States Forest Service, United States Bureau of Land Management, the Army Corps of Engineers, and lands included in the Interstate Highway System;

(2) to protect and enhance all scenic, cultural, and natural resources of the Columbia River Gorge, including sensitive habitats for threatened and endangered species, while providing public use and enjoyment consistent with protecting and preserving these resources;

(3) to protect and preserve the historical and archeological resources of the Columbia River Gorge and, where appropriate, to make these resources more available to the public for educational and scientific purposes;

(4) to protect and perpetuate the economy of the Columbia River Gorge, including but not limited to agriculture, fishing, existing hydroelectric facilities, transportation facilities, and timber utilization, and the character of human habitation, in harmony with the existing visual landscape, and by promoting economic development within the gorge which is consistent with the existing scenic and natural character of the Columbia River Gorge and which promotes public awareness of the historical, cultural, scenic, and natural values of the area and which supports and enhances the economic livelihood of the gorge by encouraging growth to occur in the existing incorporated communities, by recognizing compatible historic economic pursuits, such as farming, grazing, forestry, and orcharding, outside the communities as appropriate to preserve the existing character of the gorge, and by enhancing the potential of the gorge for increased tourism;

(5) to provide for and manage public use and enjoyment of the Columbia River Gorge in a manner consistent with natural resource protection and maintenance of the existing rural landscape, including the establishment, acquisition, maintenance, and operation of public recreation and natural areas and facilities to meet the needs of a growing regional population;

(6) to utilize the land use planning and other powers of local and State governments and existing Federal agencies to further the purposes of this Act and provide Federal assistance in the development and implementation of a single management plan for the Columbia River Gorge; and

(7) to facilitate and effect a partnership among the Federal Government, the State of Oregon, the State of Washington, and local government entities located within the Columbia River Gorge in order to develop and enforce a single management plan for the area which will supplement local and State plans and which will protect and enhance the area's existing character while protecting critical lands and allowing development only when consistent with preservation of existing scenic, natural, and cultural values.

ESTABLISHMENT OF AREA

SEC. 3. (a) ESTABLISHMENT.—In order to carry out the purposes of this Act, there is hereby established the Columbia River Gorge National Scenic Area (hereafter referred to in this Act as the "area"). ~~is established as a unit of the national forest system.~~

(b) MAP AND DESCRIPTION.—(1) The area shall consist of the area within the boundaries generally depicted on the map entitled "Boundary Map, Columbia River Gorge Scenic Area," numbered and dated , which shall be on file and available for public inspection in the offices of the ~~Forest Service, Department of Agriculture, and in the offices of the~~ Regional Commission established pursuant to section ~~4~~ 5. As soon as practicable after the effective date of ~~enactment of this Act,~~ the Interstate Compact provided for in section 4, upon request of the Regional Commission, the Secretary of Agriculture (hereinafter referred to in this Act as the "Secretary") shall publish in the Federal Register a map and legal description of the area. Such description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such map and legal description may be made. The boundary shall be subject to adjustment as provided in section ~~5(b)(7)~~ 6(b)(6) hereof.

(2) The areas on such map depicted as "critical" herein referred to as "critical lands" shall be treated as the portions of the area which are of critical importance to the protection and preservation of the values of the area ~~for purposes of applying the provisions of this Act.~~ until a land classification plan has been prepared and adopted as provided for in section 6 (b) (1) and (2).

~~(3) The incorporated towns and cities of The Dalles, Hood River, White Salmon, Bingen, Cascade Locks, Stevenson, Washougal, Mosier, and North Bonneville, as their boundaries (including any specific urban growth boundary which has been expressly approved by the applicable State) existed on July 1, 1981, shall not be included within the boundaries of the area. If, after July 1, 1981, the boundaries of any of said cities or towns are changed by such city or~~

~~town, then the area within such new boundary shall not thereafter be within the boundary of the area, if the boundary change has been approved in the manner to be provided in the management plan as required in section 5(b)(7)~~.

(c) BOUNDARIES OF MOUNT HOOD NATIONAL FOREST.—The boundaries of the Mount Hood National Forest are ~~extended to include~~ revised to exclude all of the lands in the State of Oregon lying within the area as described in accordance with section 3(b) which are ~~not~~ within the national forest boundaries on the date of enactment of this Act. These lands shall be set aside and administered as a special National Forest Unit as part of the area.

(d) BOUNDARIES OF GIFFORD PINCHOT NATIONAL FOREST.—The boundaries of the Gifford Pinchot National Forest are ~~extended to include~~ revised to exclude all of the lands in the State of Washington lying within the area as described in accordance with section 3(b) which are ~~not~~ within the national forest boundaries on the date of enactment of this Act. These lands shall be set aside and administered as a special National Forest Unit as part of the area.

(e) FOREST SYSTEM REVENUES.—For purposes of any provision of law under which funds are provided to a State or local government on the basis of revenues derived from any unit of the national forest system and notwithstanding subsection (a), the national forest system lands in the State of Oregon which are within the area shall be treated as components of the Mount Hood National Forest and the national forest system lands in the State of Washington which are within the area shall be treated as components of the Gifford Pinchot National Forest.

(Insert new SEC 4 from p. 10a)

ADMINISTRATION

5

SEC. 4. (a) BY THE SECRETARY OF AGRICULTURE.—In addition to negotiating the Interstate Compact as provided for in section 4, the Secretary of Agriculture, acting through the United States Forest Service, shall be responsible for the following:

(1) monitoring, advising, and facilitating the work to be carried out under the Interstate Compact;

(2) functioning as the budget agent for appropriations requests to the Congress under the shared financing plan negotiated in the Interstate Compact;

(3) administering, protecting, developing, and regulating the use of the National Forest Units, established under section 3 (c) and (d), in accordance with this Act and rules and regulations adopted hereunder; and

(4) acquiring and administering lands and scenic easements in accordance with guidelines, plans and procedures established under this Act.

~~(1) The area shall be administered by the Secretary of Agriculture, acting through the United States Forest Service, in accordance with this Act and in accordance with the provisions of law generally applicable to units of the national forest system. In the case of any conflict between the provisions of this Act and such generally applicable provisions of law, the provisions of this Act shall govern.~~

~~(2) The Secretary, acting through the United States Forest Service, shall establish procedures to give all interested Federal agencies, State and local governments, and the public adequate notice and an opportunity to comment upon and participate in the preparation and implementation of plans and programs for the management of the area.~~

(b) BY THE REGIONAL COMMISSION.—(1) There is hereby established ~~in the Department of Agriculture~~ the Columbia River Gorge National Scenic Area Regional Commission (hereinafter in this Act referred to as the "Regional Commission"). The members of the Regional Commission shall be appointed within ninety days of the ~~enactment of this Act.~~ ratification of the Interstate Compact as provided for in section 4.

10a

INTERSTATE COMPACT

SEC. 4. IMPLEMENTATION OF THE ACT.—As soon as practicable and within six months following the passage of enabling legislation by the last of the two states to authorize state participation in the compact, the Secretary of Agriculture shall negotiate a compact pursuant to Article I, Section 10 of the United States Constitution with the States of Oregon and Washington for carrying out the purposes of this Act. The compact shall spell out the responsibilities and obligations of the Federal and State governments, give the formula for shared appropriations, and specify the conditions under which lead agencies of each level of government are to disburse these appropriations. The compact shall be ratified by the Congress.

(A) One member who resides in each of the following counties: Multnomah County, Oregon; Hood River County, Oregon; Wasco County, Oregon; Clark County, Washington; Skamania County, Washington; and Klickitat County, Washington, to be appointed by the governing body of each of the respective counties.

(B) Two members who reside in the State of Oregon to be appointed by the Governor of the State of Oregon.

(C) Two members who reside in the State of Washington to be appointed by the Governor of the State of Washington.

(D) Three members who have a demonstrated interest in the values to be protected by this Act to be appointed by the Secretary of the Department of Agriculture.

(E) The chief of the Forest Service, Department of Agriculture or his designee, shall serve as an ex officio nonvoting member.

If any county governing body referred to in subparagraph (A) or either Governor referred to in subparagraph (B) or (C) fails to appoint a member of the Commission under subparagraph (A), (B), or (C) within ninety days after the date of the ~~enactment of this Act~~ ratification of the Interstate Compact or within ninety days after the expiration of a member's term from that county or State, the Secretary of

Agriculture may appoint a resident of that county or State to serve as the member from such county or State.

(2) The Regional Commission shall be responsible for the following:

(A) developing, adopting and, within every 10 years, updating the management plan for the area; ~~advising and assisting the Chief of the Forest Service in the preparation and development of the management plan and, subject to section 5(c), approving the management plan and any changes in it before adoption by the Secretary,~~

(B) facilitating communication and coordination among the Federal, State, and local governmental agencies with jurisdiction within the area and facilitating communication with residents and landowners within the area. ~~and advising the Secretary on the appropriate Federal role in the management and administration of the area;~~

(Insert new (C) from p. 12a)

(D) ~~(C)~~ reviewing and monitoring the implementation of the management plan by Federal, State, and local governmental agencies having jurisdiction within the area to ensure ~~assist the Secretary in ensuring~~ consistency and compliance with the plan and making revisions as found necessary in order to accomplish effective protection of the area; ~~in order to recommend to the Secretary potential revisions and methods of enforcing the plan~~;

(E) identifying proposals for scenic easements and ~~(D) reviewing all~~ land acquisition~~, proposals submitted by the Secretary in cases involving~~ including the potential

(C) establishing procedures to give all interested Federal agencies, State and local governments, and the public adequate notice and an opportunity to comment upon and participate in the preparation and implementation of plans and programs for the management of the area;

(G) undertaking necessary property management functions on lands acquired such as development and maintenance of a visitor information center, access roads, parking areas, picnic areas, trails, and comfort stations, including cooperation with the Forest Service in the management of the Forest Service Units provided for in section 3 (c) and (d);

use of eminent domain as provided in section ~~12, and~~ 13 hereof; ~~submitting timely recommendations or comments to the Secretary with respect to such acquisition before eminent domain is exercised;~~

~~(E)~~ (F) reviewing all Federal development projects and plans within the area for consistency with the management plan and submitting recommendations on all such projects to the head of the responsible Federal agency;

(Insert new (G) from p. 12b)

~~(F)~~ (H) preparing an annual report for submission to the Secretary of the Department of Agriculture, the United States Congress, and the Governors of the States of Oregon and Washington advising them of the status of the management plan and its implementation; and

~~(G)~~ (I) making such other recommendations to ~~the Secretary and~~ Federal, State, and local units of government as the Regional Commission may deem necessary to carry out the purposes of this Act.

(3) Members of the Regional Commission shall be appointed for terms of three years, except that the initial terms for the members shall be as follows:

(A) The member who resides in Multnomah County, Oregon, shall serve for a term of one year, the member who resides in Hood River County, Oregon, shall serve for a term of two years, and the member who resides in Wasco County, Oregon, shall serve for a term of three years. The member who resides in Clark County, Washington, shall serve for a term of one year, the member who resides in Skamania County, Washington, shall serve for a term of two years, and the member who resides in Klickitat County, Washington, shall serve for a term of three years.

(B) One of the members appointed ~~nominated~~ by the Governor of Oregon shall serve for two years and the other such member for three years. One of the members appointed ~~nominated~~ by the Governor of Washington shall serve for two years and the other such member for three years.

(C) One of the members appointed ~~nominated~~ by the Secretary shall serve for one year, one of such members shall serve for two years, and the third such member shall serve for three years.

A member may be reappointed only once unless such member was originally appointed to fill a vacancy pursuant to subsection (b)(4) of this section, in which case a member may be reappointed twice.

(4) Any vacancy in the Regional Commission shall be filled in the same manner in which the original appointment

was made. Any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. Any member may serve after the expiration of his term for a period not longer than thirty days.

(5) The presiding officer of the Regional Commission shall be elected annually by the members of the Regional Commission and shall serve for a term of one year. No member may serve as presiding officer for consecutive terms, and no member may serve as presiding officer if his predecessor as presiding officer was appointed to the Regional Commission by the same official or governing body.

(6) The Commission shall meet at least once each ~~quarter~~ month and, to the maximum extent practicable, all meetings of the Regional Commission shall take place within the counties having any jurisdiction in the area.

(7) Unless otherwise provided, the Regional Commission shall act or advise by affirmative vote of a majority of its members, but a lesser number may hold hearings.

(8) The Regional Commission may for the purpose of carrying out its functions hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Regional Commission may deem advisable. The Regional Commission may administer oaths or affirmations to witnesses appearing before it.

(9)(A) Members of the Regional Commission who are full time officers or employees of the United States, the State of Oregon, the State of Washington, or any county referred to in subsection (b)(1)(A) shall receive no additional pay on account of their service on the Regional Commission.

(B) Except as provided in subparagraph (A), members of the Regional Commission shall serve without pay. While away from their homes or regular places of business in the performance of service for the Regional Commission, members of the Regional Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Federal Government service under section 5703 of title 5 of the United States Code.

(10) The Regional Commission shall recruit such staff and technical assistance as the Commission may need to carry out its planning, implementation and administrative responsibilities set forth in sections 6 and 7. ~~The Secretary shall provide the Regional Commission with such staff and technical assistance as the Secretary, after consultation with the Regional Commission, considers appropriate to enable the Regional Commission to carry out its duties.~~

(11) In order to have access to information, personnel, property and services that may be available from particular Federal agencies to assist it in carrying out its responsibilities under this Act, the Regional Commission may request and the Secretary shall assist in arranging for these resources on a reimbursable basis. ~~Upon request of the Secretary, any Federal agency may provide information, personnel, property, and services on a reimbursable basis, to the Regional Commission to assist it in carrying out its duties under this Act.~~

(12) In carrying out the purposes of this Act, ~~the Secretary and~~ the Regional Commission shall involve the public

and local, State, and Federal Government agencies to the fullest extent possible in making decisions by consulting with interested and concerned citizens and conducting public hearings at places within counties having jurisdiction in the area in order to provide such citizens with an opportunity to testify regarding the development, implementation, and enforcement of the management plan.

(13) Actions taken and orders issued by the Regional Commission shall be subject to the provisions of subchapter II of chapter 5 and chapter 7 of title 5, United States Code (5 U.S.C. 551 et seq.; 5 U.S.C. 701 et seq.).

MANAGEMENT PLAN FOR AREA

SEC. ~~5~~ 6. (a) PREPARATION.—The ~~Chief of the Forest Service~~ Regional Commission shall prepare a management plan for the area with the consultation and advice of the ~~Regional Commission~~ Chief of the Forest Service in order to accomplish the purposes of this Act. ~~The management plan shall be prepared by an interdisciplinary planning team selected by the Chief of the Forest Service.~~ In the preparation of the management plan the Regional Commission ~~and the Forest Service~~ shall hold public meetings to inform residents within the area, State and local governments, Federal agencies, and other interested parties of the provisions of this Act, the objectives of the management plan, the actions to be undertaken in the preparation of the management plan, the time when such actions are proposed to be taken, and to provide interested persons and agencies with an opportunity to express their views with respect to matters to be covered ~~covered to be~~ by the management plan. ~~The~~ A draft of the management plan shall be submitted to the Regional Commission by the Commission's staff ~~Chief of the U.S. Forest Service~~ within two years from the effective date of the Interstate Compact. ~~this Act.~~

(b) CONTENT.—The management plan shall include—

(1) preparation of a land classification plan which shall involve— ~~be based upon an inventory of the area's resources including archeological, social, economic, forest, historical, natural, geological, recreational, and scenic values;~~

(A) development and maintenance of an information system on the scenic, archeological, geological, soil, plant, wildlife, forest, and current human use of lands in the area;

~~(2) protect, maintain, and enhance the scenic, natural, and cultural values of the area. The management plan shall also include provisions for resource protection, interpretation, and visitor use, including development of public use areas and facilities;~~

(B) analysis of existing conditions and problems in the area;

(C) establishment of goals (directions over the long pull) and objectives (specific intermediate mileposts) for protecting, maintaining and enhancing the scenic, natural and cultural values of the area,

~~(3) designate appropriate uses of all lands within the area in order to achieve the purposes of this Act;~~

(Insert material from pp. 18a and 18b)

(4) ~~establish~~ establishment of procedures for the review of changes in State-approved urban growth boundaries within the area for incorporated communities; ~~and boundaries of cities and towns within the area, for the purpose of determining whether areas within such changed boundaries may be approved for exclusion from the boundaries of the area;~~

and setting work priorities for achieving goals and objectives;

(D) investigation of growth scenarios and selection of one working scenario as a basis for developing the land classification plan;

(E) review of lands designated as critical under section 3 (b) (2), and preparation of the land classification plan for the area, establishing such land use categories as: (i) lands to be protected because of critical scenic, natural or cultural significance, (ii) lands to be conserved in forest, agriculture, or public open space, (iii) lands to be reserved for transportation or utilities, and (iv) lands to be available for development in industrial, business, residence, recreation, and other more intensive uses;

(F) formulation of a land use policy framework for implementing the land classification plan;

(G) update of the land classification plan at intervals of no greater than ten years (following the sequence of (A) through (F) above);

(H) preparation and, from time to time, update of standards and guidelines for local units of government to follow in meeting the requirements of the land classification plan;

(I) initiation of impact assessment analyses and problem mitigation studies as problems arise; and

(J) solicitation of comments at stages in the preparation of the land classification plan and the land use policies for implementing this plan from appropriate Federal, State and local agencies, and from citizen groups and individuals.

(2) adoption and implementation of the land classification plan and its land use standards and guidelines through—

(A) review and approval of provisions in county and municipal comprehensive plans, zoning ordinances, and subdivision regulations, and amendments thereto, adopted pursuant to the land classification plan; and

(B) recommend acquisition of scenic easements and, under limited conditions set forth in section 13, acquisition of sites of critical significance in protecting the scenic qualities of the area;

(3) initiation of a property management program for resource protection, interpretation, and the development and maintenance of sites for visitor use in acquired areas;

~~(5) review lands designated as critical on the map filed pursuant to section 3(b)(2) and all other lands within the area in order to identify, for purposes of the management plan, lands which are critical to the protection, development, and interpretation of the resource values of the area including: (A) those lands whose existence in a natural state is essential to protect the scenic and natural value of the area; (B) those lands whose essential character should remain unchanged in order to retain the harmonious blend of manmade and natural landscape features; (C) those lands whose present, or presently planned, use is adverse to values which this Act seeks to protect and enhance; and (D) those lands necessary to provide recreational and interpretive facilities and access to public lands for visitors to the area;~~

(5) recommendation of ~~(6) recommend~~ transfers of jurisdiction for existing publicly owned land if advisable to achieve the purposes of this Act and determine appropriate management agencies for such lands;

(6) provision of ~~(7) provide~~ a mechanism for examining and making minor changes in the exterior boundaries of the area and for revising and amending the management plan as necessary to achieve the purposes of this Act: *Provided, however*, That any changes in the exterior

boundaries of the area shall not result in an aggregate increase in the acreage of the area, as initially established, within any county that has jurisdiction in the area;

(7) encouragement of ~~(8) encourage~~ private individuals and local governments to use or plan the use of land within the area in ways which will be consistent with and facilitate the achievement of the purposes of this Act;

(8) provision for continuance of ~~(9) allow~~ all existing land uses of specific tracts of land in the area as of July 1, 1981, which are found to be consistent with the purposes of this Act;

(9) development of ~~(10) develop~~ procedures to coordinate existing land use plans of local, State, and Federal entities with the management plan to promote the goals and policies of the management plan; and

(10) establishment of procedures for ~~(11) establish~~ a program for State and local government implementation and enforcement of the management plan to insure the continued, uniform, and consistent protection of the area in accordance with the purposes of this Act.

(c) Federal, State, and Local Advice.—The Regional Commission ~~Chief of the Forest Service~~ shall periodically advise the Chief of the Forest Service ~~Regional Commission~~ of progress on the plan and shall seek the advice of the Forest Service. Under the direction of the Regional Commission, its staff shall consult with the Forest Service ~~Regional Commission. The Chief of the Forest Service shall consult with the interdisciplinary planning~~

~~team, the Regional Commission,~~ and residents of the area and other interested citizens in the preparation of the management plan or any revisions thereof. ~~The Secretary~~ The Regional Commission may utilize personnel from Federal, State and local governments in the area with expertise in planning and preparing the management plan by employing them pursuant to the Intergovernmental Personnel Act.

(d) STATE AND LOCAL PLANNING.—(1) During the preparation of the management plan, and thereafter, the ~~Secretary~~ Regional Commission shall consult with State and local government authorities within the area and may provide financial and technical assistance to such authorities to carry out any land use management activity within the area or any other activity within the area which ~~the Secretary, in consultation with~~ the Regional Commission determines will further the purposes of this Act.

(2)(A) In the development of the management plan or any revision thereof, the ~~Secretary~~ Regional Commission shall examine all Federal, State and local policies, management plans, standards, and requirements applicable to the area and shall, ~~with the consultation and advice of the Regional Commission,~~ to the extent ~~the Secretary deems~~ practicable and consistent with the purposes of this Act, incorporate such policies, management plans, standards, and requirements into the management plan.

(B) In consultation with the appropriate State and local authorities, the ~~Secretary~~ Regional Commission shall seek to identify conflicts or inconsistencies between the policies, management plans, standards, and requirements referred to in subparagraph (A) and the proposed management plan or revisions thereof in order to encourage consistent planning efforts. Following adoption of the management plan ~~the Secretary, with the consultation and advice of~~ the Regional Commission shall continue to identify any such conflicts or inconsistencies which arise due to amendments or proposed amendments to the management plan or due to changes or proposed changes in such State or local policies, plans, standards, and requirements in order to avoid inconsistent planning efforts.

(e) APPROVAL.—(1) Upon completion of the management plan or any revision thereof by the staff, ~~by the interdisciplinary team,~~ it shall be submitted to the Regional Commission for approval. The Regional Commission ~~or its designated representatives~~ shall send a copy to the Chief of the Forest Service for comment, and it shall hold public hearings before it votes on the question of approving the management plan or any revision thereof, at least one of which shall be held in each county with in which any portion of the area is located.

(2) The Regional Commission shall consider and vote on the question of approving the management plan or any revision thereof within one hundred and eighty days of its submission. ~~If a majority of the Regional Commission's members vote to approve the management plan, the management plan shall be adopted by the Secretary. If a majority of the Regional Commission's members vote to disapprove of the management plan, the~~

(3) The management plan, and any modification thereof, shall be published in a newspaper of general circulation in the area promptly following its adoption.

(4) Once the management plan or modification thereof has been approved by the Regional Commission, it is certified to the Secretary who sends copies to the U.S. Army Corps of Engineers, the Bonneville Power Administration and other Federal agencies with program interests in the area. Similarly, copies are sent to the Governors of Oregon and Washington who in turn see that State agencies with program interests in the area receive copies, and copies are sent to counties and municipalities and their planning commissions with jurisdiction in the area.

~~management plan shall be submitted to the Secretary. The Regional Commission shall specify all of its objections to the management plan prepared by the interdisciplinary team.~~

~~(3) The Secretary shall consider the objections of the Regional Commission to the management plan. The Secretary may modify the management plan to respond to the objections of the Regional Commission, provided such modifications are consistent with the purposes of this Act.~~

~~(4) The Secretary shall submit the management plan to the Regional Commission, with whatever modifications he may have made, within ninety days of the Regional Commission's vote to disapprove of the management plan.~~

~~(5) If the Regional Commission does not approve all or any part of the management plan within ninety days of its resubmission, the Secretary may, without approval by the Regional Commission, adopt the management plan as resubmitted or after eliminating any of the parts of the management plan disapproved by the Regional Commission.~~

~~(6) The management plan, and any modification thereof, shall be published in a newspaper of general circulation in the area promptly following its adoption.~~

(f) REQUESTS FOR AMENDMENT OR VARIANCE.—Petitions for amendments to or variances from the management plan may be submitted to the ~~Secretary~~ Regional Commission by local government authorities or by any other person. In considering such petitions, the ~~Secretary,~~ Regional Commission, after notice and at least one public hearing, ~~by the Secretary and the Regional Commission,~~ shall, on the basis of the testimony and any written recommendations presented at such hearing and ~~the Regional Commission's~~ staff recommendations, determine whether or not to modify the management plan. The notice required by this section shall be given at least twenty days prior to the public hearing by publication at least once in a newspaper of general circulation in the area. If a petition is filed, the ~~Secretary~~ Regional Commission shall, if requested by the petitioner, complete ~~his~~ its action on such petition within sixty days after the receipt by the ~~Secretary~~ Regional Commission of a complete petition (determined according to standards prescribed by the ~~Secretary).~~ Regional Commission).

INTERIM PROTECTION AND MANAGEMENT

SEC. ~~6.~~ 7. (a) MORATORIUM ON NEW USES IN CRITICAL LANDS.—After ratification of the Interstate Compact and ~~P~~pending the adoption of interim guidelines pursuant to subsection (b), no person may construct or modify any new building or facility or reconstruct or substantially modify any existing building or facility in any portion of the area designated as critical on the map filed pursuant to section 3(b)(2). However, reconstruction of transportation facilities shall be exempted from this section under specific emergency conditions including, but not limited to slides, washouts, and accidents.

(b) ~~FOREST SERVICE~~ INTERIM GUIDELINES.—Not later than six months after the ~~date of the enactment of this Act, the Secretary,~~ ratification of the Interstate Compact, the Regional Commission, with the advice of the ~~Regional Commission and the~~ Chief of the Forest Service, shall adopt and publish interim standards and guidelines governing all land use activities within the area to protect the resources of the area until the management plan is adopted.

(c) PURPOSE OF INTERIM GUIDELINES.—The purpose of such interim standards and guidelines shall be to protect the area from—

(1) actions which significantly detract from the current visual quality and diversity of the area;

(2) actions which significantly alter the balance of natural and manmade landscape features visible from Washington Highway 14, Interstate Highway 84, Oregon Highway 30, or existing viewpoints managed for public enjoyment;

(3) actions within any portion of the area designated as critical on the map filed pursuant to section ~~4(c);~~ 3(b); and

(4) any other actions which damage the resource values this Act is designed to protect.

(d) SPECIFICITY AND REVISION OF GUIDELINES.—Such interim standards and guidelines shall be as detailed and specific as is required to accomplish their objectives and purposes and may be revised or amended to accomplish such objectives and purposes.

FEDERAL ACTIVITIES WITHIN THE AREA

SEC. ~~7.~~ 8. (a) JURISDICTION.—Lands and waters located within the area which are under the administrative jurisdiction of any department or agency of the United States shall remain under such administrative jurisdiction unless jurisdiction is transferred pursuant to section ~~5(b)(6)~~ 6(b)(5).

(b) PROJECTS.—(1) No department, agency, or instrumentality of the United States may undertake or assist any project or grant any license, permit, or other form of approval for any project within the area unless the ~~Secretary, in consultation with the Regional Commission,~~ Regional Commission determines that the project is consistent with the purposes of this Act and with the management plan or the interim guidelines, or that such project is essential for the protection of public health or safety or necessary for national security or defense.

(2) As used in paragraph (1), the term "assist" includes—

(A) the sale of any flood insurance under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.);

(B) any assistance provided by a department, agency, or instrumentality of the United States to a State or local government where such State or local government uses such assistance for purposes of a project described in paragraph (1); and

(C) any grant, loan, loan guarantee, or any other form of direct or indirect technical or financial assistance.

(c) EXEMPTIONS.—(1) Except as may otherwise be provided in the interim guidelines or the management plan, subsection (b) shall not apply to—

(A) any building or facility to be used for any military purpose;

(B) any ~~temporary~~ structure to be used only for emergency humanitarian assistance;

(C) any construction, reconstruction, or modification of which commenced before the date of the enactment of this Act; or

(D) any repair or reconstruction of a building or facility the original construction of which commenced before such date of enactment.

(2) Construction, reconstruction, or modification shall be treated as commencing only when there is either—

(A) a continuous program of physical onsite construction, reconstruction, or modification, or

(B) the owner of the building or facility has entered into binding agreements or contractual obligations for such construction, reconstruction, or modification which cannot be canceled or modified without substantial loss to the owner.

(d) PROCESS.—Not less than sixty days prior to undertaking or assisting a project or granting any license, permit, or other form of approval for any project within the area, the department, agency, or instrumentality of the United States proposing to take such action shall notify the Secretary and the Commission of its proposal. The ~~Secretary~~ Regional Commission, in consultation with the ~~Commission~~ Secretary, shall, after notice and opportunity for public comment, make a determination respecting the consistency of any activity described in subsection (b) with the purposes of this Act and with the management plan or interim guidelines and standards. When the ~~Secretary determines~~ Regional Commission finds and so advises the Secretary that any activity is consistent or inconsistent with the purposes of this section or with the plan, ~~it~~ the Secretary shall notify the agency proposing to undertake, assist, license, or approve the activity.

INTERGOVERNMENTAL COOPERATION

SEC. ~~8.~~ 9. (a) RETENTION OF STATE AND LOCAL JURISDICTION.—Nothing in this Act shall diminish, enlarge, or modify any right of the State of Oregon or the State of Washington, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the area.

(b) HUNTING AND FISHING.—The ~~Secretary~~ Regional Commission shall permit hunting and fishing on lands and waters under ~~his~~ its jurisdiction within the boundaries of the area in accordance with applicable laws of the United States and the State of Oregon and the State of Washington. Except in emergencies, any regulations of the ~~Secretary~~ Regional Commission pursuant to this section shall be put into effect only after consultation with the appropriate State fish and wildlife department.

(c) RETENTION OF FEDERAL JURISDICTION.—Nothing in this section shall be construed to limit or prohibit any Federal action ordered by a court of competent jurisdiction or directed by a Federal agency for the protection of public health or safety, or for national defense.

(d) STATE AND LOCAL CONCURRENT POWER TO LEGISLATE.—Nothing in this Act shall be construed to prevent the adoption or implementation by any State or local government of any rule, regulation, or provision of law which is consistent with, or more stringent than, any provision of this Act or of the management plan adopted pursuant to this Act.

ENFORCEMENT

SEC. ~~9.~~ 10. (a) ENFORCEMENT OF INTERIM STANDARDS.—Prior to the adoption of the management plan, the ~~Secretary~~ Regional Commission shall monitor all land use activities within the area to ensure that said activities do not violate the interim standards and guidelines. The ~~Secretary~~ Regional Commission shall participate in State and local land use proceedings as necessary to advise said government entities whether or not proposed activities are consistent with the interim standards and guidelines. If the ~~Secretary~~ Regional Commission determines that a proposed activity is inconsistent with the interim standards and guidelines, ~~he~~ it shall seek relief pursuant to section ~~10.~~ 11.

(b) ENFORCEMENT OF MANAGEMENT PLAN BY LOCAL GOVERNMENT.—(1) Following the adoption of the management plan, each local government entity within the area which has land use planning authority under State law and which wishes to assume responsibility for enforcement of the management plan within its boundaries shall submit to the ~~Secretary and the~~ Regional Commission a land use plan which demonstrates that such local government entity intends to and is capable of carrying out the provisions of this Act.

(2) Any local government seeking to assume responsibility under this section shall adopt a zoning ordinance and subdivision regulations which—

(A) protect~~s~~ and preserve~~s~~ critical lands and the resource values of the area consistent with the management plan; and

(B) provide~~s~~ sanctions for violation of the terms of such ordinance including civil and criminal actions, withholding of permits, and issuance of cease-and-desist orders.

(3) No local land use plan shall be approved unless the plan demonstrates that the local government has a planning staff with sufficient administrative and technical personnel and sufficient funding to enable the local government to regulate land use activities in accordance with the purposes of this Act and the management plan.

(4) The ~~Secretary, with the advice of the Regional Commission,~~ Regional Commission shall review and approve or disapprove a local use plan within six full calendar months after the plan is submitted to ~~him~~ it. The ~~Secretary~~ Regional Commission is authorized to make annual grants to any local government entity for the purpose of assisting such entity in developing, administering, and enforcing land use plans under this Act.

(c) ENFORCEMENT OF MANAGEMENT PLAN BY ~~SECRETARY~~ REGIONAL COMMISSION.—The management plan shall be enforced by the ~~Secretary~~ Regional Commission utilizing the remedies provided in section ~~10~~ 11 if—

(1) the local land use plan is disapproved;

(2) no local plan is submitted to the ~~Secretary;~~ Regional Commission; or

(3) an approved local plan fails to be enforced in accordance with this Act.

REMEDIES

SEC. ~~10~~ 11. (a) PROHIBITION ON INCONSISTENT USES.—The use or development of any lands within the area contrary to this Act is unlawful and prohibited.

(b) VIOLATION OF ACT.—Any person who knowingly and willfully violates any regulation or order which is lawfully issued pursuant to this Act shall be fined no more than $10,000 or imprisoned no more than twelve months, or both. Any person charged with a violation of such regulation may be tried and sentenced by any United States magistrate designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions and limitations as provided for in section 3401 of title 18 of the United States Code.

(c) CIVIL ACTION TO ENFORCE ACT.—~~At the request of the Secretary,~~ On request of the Regional Commission, the Secretary may request the Attorney General ~~may~~ to institute a civil action in ~~any~~ a United States district court in the area for an injunction or other appropriate order to prevent any person from utilizing lands within the area in violation of the management plan, regulations, guidelines, or standards issued by the ~~Secretary~~ Regional Commission under this Act.

(d) NOTIFICATION TO VIOLATOR AND HEARING.—If the ~~Secretary~~ Regional Commission determines under section ~~9~~ 10 that any person is in violation of the management plan, regulations, guidelines, or standards issued under this Act, ~~he~~ it shall promptly notify shall conduct a review proceeding as follows:

(1) The hearings officer shall conduct a review proceeding in accordance with the rules, procedures and regulations adopted by the Regional Commission. Upon the conclusion of the hearing, the hearings officer shall promptly determine the matter, prepare a recommendation to the Regional Commission and to each party to the proceeding.

(2) The Regional Commission shall review the recommendation of the hearings officer and the record of the proceeding. If the Regional Commission is unable to reach a decision in the matter without further information or evidence not contained in the record of the proceeding, it may refer the matter back to the hearings officer and request that additional information or evidence be acquired by him or that he correct any errors or deficiencies found by the Regional Commission to exist in his recommendation or record of the proceeding. When the Regional Commission determines that it has sufficient information to reach a decision, it shall issue its order with respect to the review proceeding within sixty days following the date of the filing of the petition upon which such review proceeding is based, except that in the case of petitions referred back to the hearings officer for additional information, an additional sixty days shall be allowed before the Regional Commission must issue its order. The Regional Commission may adopt, reject or amend the recommendation of the hearings officer.

the person of the violation. Such person may then request a hearing on the record before the Regional Commission ~~Secretary~~ to determine whether a violation has occurred. The Regional Commission shall give prompt attention to such a request. The presiding officer of the Regional Commission shall appoint a hearings officer who ~~Following such hearing the Secretary shall set forth his findings and conclusions and any proposed, intermediate, or final order~~.

(Insert additional material from p. 33a)

JUDICIAL REVIEW

SEC. 12. ~~11.~~ (a) PETITION OF APPEAL.—Any person adversely affected by any final action or order of the Regional Commission ~~Secretary~~ under this Act may appeal such action or order by filing in any of the courts specified in subsection (b), within sixty days after the date of service of such order or within sixty days after such action is taken, a written petition requesting that the order of the Regional Commission ~~Secretary~~ be modified, terminated, or set aside.

(b) APPELLATE JURISDICTION.—The United States ~~District Court for the District of Columbia, or any United States~~ district court located in the State of Oregon or the State of Washington which has jurisdiction of actions occurring in or affecting the area shall be appropriate courts for appeal pursuant to subsection (a).

ACQUISITION

SEC. 13. ~~12.~~ (a) ACQUISITION AUTHORIZATION.—(1) Upon request of the Regional Commission the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, bequest, or otherwise any lands, or lesser interests therein, including scenic and conservation easements ("scenic easements"), which the Regional Commission has recommended as being ~~he determines are~~ needed to achieve the purposes of this Act.

(2) Upon request of the Regional Commission ~~T~~he Secretary may acquire without the consent of the owner only lands, or interests therein, classified as critical lands under the management plan or designated as such on an interim basis on the map filed pursuant to section 3(b)(2). No such lands or interests which, on July 1, 1981, were primarily used for single family residential purposes, farming, or grazing may be acquired without the consent of the owner as long as the existing character of that use is not substantially changed.

(3) The Regional Commission ~~Secretary, in consultation with the Regional Commission,~~ shall publish, within one hundred and eighty days of the ratification of the Interstate Compact, ~~enactment of this Act,~~ guidelines which shall be used by it ~~him~~ to determine what constitutes a substantial change in the land use or maintenance for nonfederally owned lands within the area.

(4) Where in acting for the Regional Commission the Secretary is authorized above in this section to acquire land or interests therein, without the consent of the owner, he shall—

(A) do so only in cases where, in his judgment, all reasonable efforts to acquire such lands, or interests therein, by negotiation have failed;

(B) acquire only such land, or interests therein, as, in his judgment, is reasonably necessary to accomplish the purposes of this Act; and

(C) no more than 10 per centum of the total acreage of the area shall be acquired by condemnation.

~~(5) The Secretary shall notify the Regional Commission of his intent to acquire land or interests therein, without the consent of the owner, and within three months of such notification, the Regional Commission shall submit its recommendations and comments on the intended acquisition to the Secretary for consideration.~~

(b) Consideration of Area Landowner Offers.—The Secretary shall give prompt and careful consideration to any offer made by a person owning land within the area to sell such land to the United States. The Secretary shall specifically consider any hardship to such person which might result from an undue delay in acquiring his property.

(c) Land Exchange.—(1) In exercising his authority to acquire property for the Regional Commission by exchange, the Secretary may accept title to any non-Federal property, or interests therein, located within the area.

(2) Notwithstanding any other provision of law, the Secretary may convey in exchange for land in the State of Oregon any federally owned property within the State of Oregon, and he may convey in exchange for land in the State of Washington any federally owned property within the State of Washington, which he classifies as suitable for exchange and which is under his administrative jurisdiction. The values

of the properties exchanged pursuant to this paragraph shall be approximately equal or, if they are not approximately equal, they shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. In the exercise of his exchange authority, the Secretary may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(d) ACQUISITION OF STATE LAND.—Any land or interest in land owned by the State of Oregon or the State of Washington or any of their political subdivisions may be acquired only by donation or exchange.

(e) TRANSFER OF FEDERAL PROPERTY TO SECRETARY.—Notwithstanding any other provision of law, any Federal property located within the area may, with the concurrence of the agency having jurisdiction over such property, be transferred without consideration to the administrative jurisdiction of the ~~Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the area shall become parts of the area~~ National Forest Service as part of the National Forest Unit established under section 3(c) and (d) in carrying out the purposes of the Act. Lands acquired by the Forest Service or transferred to its administrative jurisdiction within the area shall be managed in harmony with the management plan.

(f) DISPOSITION OF ACQUIRED PROPERTY.—Any property acquired under this section shall, upon recommendation of the Regional Commission to ~~in the discretion of~~ the Secretary, be—

(1) transferred to the administrative jurisdiction of the National Forest Service for inclusion in the area's Nation-

al Forest ~~system~~ Unit and administration in accordance with guidelines, plan and procedures established under this Act; or ~~section 4(a); or~~

(2) sold for fair market value subject to such reservations, terms, and conditions as will assure the use of such property in a manner consistent with the management plan. The proceeds of any sale shall be credited to the appropriation account from which funds were made available for the purchase thereof.

INDIAN TREATIES

SEC. ~~13~~ 14. Nothing in this Act shall be construed to alter, amend, repeal, interpret, modify, or conflict with any treaty or other right of an Indian tribe.

AUTHORIZATION OF APPROPRIATIONS

SEC. ~~14~~ 15. (a) AUTHORIZATION.—There is authorized to be appropriated such sums as may be necessary to carry out this Act. The Regional Commission's annual appropriations requests shall be submitted as part of the Department of Agriculture's request.

(b) LAND AND WATER FUND.—Sums appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein within the area.

ACQUISITION FUND

SEC. ~~15~~ 16. (a) ESTABLISHMENT.—There is established an acquisition fund for the acquisition of lands and interests therein within the area. This fund shall be available without fiscal year limitation for expenses necessary for acquiring land and interests therein under section ~~12~~ 13 hereof.

(b) INITIAL CAPITAL.—The initial capital of the fund shall consist of appropriations made for that purpose. ~~The Secretary is authorized to make such subsequent transfers to the fund as he deems appropriate in connection with the functions to be carried on through the fund.~~

(c) APPROPRIATION.—There is hereby authorized to be appropriated a sum not to exceed as initial capital of the acquisition fund.

(d) DONATIONS.—~~The Secretary~~ In trust for the Regional Commission, the Secretary may accept contributions or donations of money, services, and property, real, personal, or mixed, for the management, protection, development, acquisition, and conveying of the lands within the area. Moneys received hereunder shall be credited to the acquisition fund and are hereby authorized to be appropriated and made available to the Regional Commission until expended. ~~as the Secretary may direct.~~

MITIGATION OF LOCAL REVENUE LOSSES

SEC. ~~16.~~ 17. (a) PAYMENTS TO LOCAL GOVERNMENTS.—Whenever the ~~Secretary~~ Regional Commission, in consultation with the Secretary, determines that the acquisition ~~by the Secretary~~ of any interest in real property within the area has the potential effect of significantly increasing property taxes on properties remaining in private ownership, the ~~Secretary~~ Regional Commission may make payments to any local governmental entity affected by such acquisitions to mitigate the loss of property tax revenue resulting from the Federal acquisition to the extent that such payments would be used to amortize bonded indebtedness previously incurred by the political subdivision involved or to pay for the cost of providing essential public services.

(b) CONDITIONS.—If the ~~Secretary~~ Regional Commission determines that payments should be made to political subdivisions under subsection (a), the amount and duration of such payments shall be determined by the ~~Secretary~~ Regional Commission and paid to counties within the jurisdiction of which the lands within the area are located. The counties shall distribute the payments on a proportional basis to those units of local government and affected school districts which have incurred losses of real property taxes due to the acquisition of land or interests therein for addition to either such system. In those cases in which another unit of local government other than the county acts as the collecting and distributing agency for real property taxes, the payments shall be made to such unit of local government, which shall distribute such payments as provided in this subsection. The ~~Secretary~~ Regional Commission may prescribe regulations under which payments may be made to units of local government in any case in which the preceding provisions will not carry out the purposes of this subsection.

COMPLIANCE WITH BUDGET ACT

SEC. ~~17~~ 18. No authority under this Act to enter into contracts or to make payments shall be effective except to the extent and in such amounts as provided in advance in appropriation Acts. Any provision of this Act which, directly or indirectly, authorizes the enactment of new budget authority shall be effective only for fiscal years beginning after September 30, 1983.

April 4, 1983

Dear Senator Hatfield

I am writing to express my support of S 627 the Columbia River Gorge National Scenic Area Bill. I feel it is the only way to save the unique beauty we have left in the gorge for generations to come after us. We hike there several days a month all year long. I feel sure that Oregon and Washington will benefit more in the long run from tourist trade the gorge will bring in the years to come than from any development sooner or later. It is such a beautiful place and so conveniently close to Portland-Vancouver.

Please include my letter in the hearings records.

I hope and pray that this bill will pass.

Most Sincerely

Jean E. Cox

7305 S.W. 25th Ave.
Portland, Ore. 97219

April 5, 1983

Dear Senator Hatfield:

We support S627 and would very much like to see a National Scenic Area established in the Gorge. As a unique treasure and an important tourist attraction, it needs a coordinated management plan and protection from industrial and commercial development.

Please include our letter in the hearings records.

Sincerely yours,
Hal Williams
Cathy Williams
Hal and Cathy Williams

‡ FYR

MAR 18 1983

March 16, 1983

Honorable Senator Hatfield
114 Pioneer Courthouse
Portland, Oregon 97204

Dear Senator:

Please be advised that I choose to submit written testimony and appear at the Columbia Gorge Hearing scheduled for March 25th.

My letter will be very similar to that submitted to Senator Packwood, and my January '83 letter to you.

Very sincerely,

E. Richard Allard

Dick Allard

3/15/87

MAR 16 1983

Senator Mark Hatfield
114 Pioneer Courthouse
Portland OR 97204

Attention: Tom Imeson

Dear Sir:

I would like to have this letter made a part of the record of the March 25 hearing which Senator Hatfield will hold at the B.P.A. auditorium.

The Columbia River Gorge has been part of my extended home since I first moved to Portland in 1956. Through the Mazamas I hiked its trails, photographed it and used it to train for mountain climbing. Later I learned its geology through a class at Portland State. I also value its history in terms of the activities of humans.

The Gorge means many things to many people. I applaud Senator Packwood's bill which would pool the resources of the many jurisdictions now involved rather than leave the Gorge the victim of factions.

Yours truly,
Jill M. Hooper
4737 N.E. 78 Avenue
Portland OR 97218

SENATE COMMITTEE ON
ENERGY AND NATURAL RESOURCES
RECEIVED
APR 25 1983
RECEIVED

Jony

6855 -17th Ave. N.E.
Seattle, WA 98115
April 21, 1983

Official Committee File

To the Energy & Natural Resources Committee:

Please include this letter in the official hearing record for the Columbia Gorge.

I am highly anxious that the Columbia Gorge be considered a national scenic area, including its tributaries. This is one of the most beautiful areas in America, and it is in dancer of being lost to all of us.

If we miss this chance, we will lose the beauty of the Columbia Gorge forever; it cannot stand overdevelopment and exploitation, and there are those just waiting in the wings to take over.

So please, put me on record as supporting the Columbia Gorge as a national scenic treasure.

Sincerely,

Alice B. Nugent

1983 JUN 10 PM 1: 4

May 21, 1983

Senator Malcolm Wallop
U.S. Senate
Washington, D.C. 20510

Dear Senator Wallop:

I am dismayed, both as a taxpayer and as a Columbia River Gorge resident to see that the Congress is about to spend $1 billion to create a federal park in the Gorge.

As a retiree existing on a very limited income I resent the waste of tax dollars. I grew up in the Gorge, and speaking from 80 years experience, I can say that the Gorge is more beautiful than ever.

How can you justify the expenditure of 1 billion dollars when many U.S. citizens do not even have a job?

Anna M. Breedlove

Mrs. Anna M. Breedlove
Bingen, Wa. 98605

THE NATIONAL INHOLDER
VOLUME 1 NO. 3
NEWS
50,000 Circulation
MARCH/APRIL/MAY 1983

Seiberling Re-Introduces Parks Protection Act

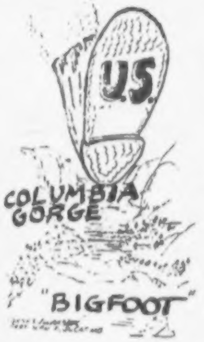
Columbia Gorge NSA Introduced in Congress

41,000 People Face $1 Billion Federal Takeover

Senators Mark Hatfield (R-OR) and Robert Packwood (R-OR) introduced S-627 to create a new National Scenic Area on the Columbia River between Oregon and Washington near Portland. Companion legislation, HR 1747 was introduced in the House by Congressmen Jim Weaver (D-OR) and Les AuCoin (D-OR).

The Columbia Gorge is 80 miles long and includes the homes, farms, and ranches of over 41,000 people, many there for generations. The bill would allow 20% of the private land to be condemned with a price tag rivaling the $1.3 billion Redwood National Park and $1 billion Santa Monica Mountains NRA.

As in past NSA proposals, the Secretary of Agriculture, through the Forest Service, would have almost dictatorial powers making the final decision on nearly all land use matters. Sawtooth and Mt. Rogers NRA's are examples of similar areas managed by the Forest Service, both having poor records in land-owner relations.



At Mt. Rogers the Forest Service purchased full fee title to far more land than Congress intended. Of the 39,500 acres planned for the area, 40% were supposed to be protected with easements. By 1980, 14 years after creation, 26,000 acres had been purchased in fee *Without one scenic easement acquired*. Until stopped by the NIA, the Forest Service was planning a new round of condemnations.

Santa Monica Mountains NRA

Congress Caught in Massive Cost Overrun

Congress was told by the original bill sponsors the cost would be only $155 million in 1978 as part of the $1.3 billion Parks Omnibus Bill. A recent Interior Department Inspector General investigation concluded that the Park Service had 8 estimates in hand at the time ranging from a low of $245 million to a high of $675 million. It appears the Park Service never told Congress the expected true cost.

Recent estimates are that if Park Service plans are completed the cost could exceed $1 billion. Santa Monica is an example of recent areas created more for their "ego-political" values than resource protection. The National Park System Advisory Board voted several times against Santa Monica and even the Park Service testified against it. To them it was not nationally significant. They wondered why taxpayers in Michigan were paying for a nice city park in Los Angeles.

Since passage, immense pressure by the Sierra Club and other groups have pushed the Park Service to enlarge what was originally intended as a "greenline" park with mostly private land into a mass acquisition concept. Meanwhile, thousands of landowners sit in limbo caught in a crossfire between local government, the State of California, environmental groups and the Park Service. Many in Congress and the country are concerned that there is no system to prevent future billion dollar cost overruns like Santa Monica. They're not pushing for development but asking the question: who should pay the cost for urban open space? Should Park Service values be lowered to become a catchall for all open space proposals?

March 28, 1983

Senator Mark Hatfield
Senate Office Building
Washington, D.C. 20510

Dear Senator Hatfield,

I am writing to express my support for the bill introduced in the Senate by you and Senator Packwood to create a National Scenic area in the Columbia River Gorge (Bill S627). This bill represents a fair compromise between the need for scenic protection and economic development/private property rights protection.

I would like to ask that my letter be included in the hearings records on beginning March 25, 1983.

Sincerely,
Kathleen Howe
1737 SE 36TH
Portland, Oregon 97214

Mrs. Lorraine Vranna
Ione Plaza #823
1717 S. W. Park Avenue
Portland, OR 97201

March 29, 1983

Hon. Mark Hatfield
Senate Office Building
Washington, D. C. 20510

re: Packwood/Hatfield
Bill 5627

Dear Sir:

this letter is to register my support for the above bill, and to request that you include it in the hearings records.

thank you.

Mrs. Lorraine Vranna

March 23, 1983

Senator Mark Hatfield
Senate Office Bldg.
Washington, D.C. 20510

Dear Sir:

I am writing to express my strong support for the Columbia River Gorge National Senic Area Bill.

The Columbia River Gorge is a unique senic area of vast geological and biological importance. To leave this area open to the haphazzard growth and splintered management of the nearly fifty different federal, state and local jurisdictions located along its length is asking for trouble. Such diverse management, (or lack of it) could bring about the eventual inadvertent destruction of that which we value in the Gorge.

The Packwood/Hatfield Bill provides for comprehensive management and protection of the natural wonders while at the same time providing for economic development and private property rights protection. It is a balanced alternative which can only benefit all parties concerned.

I would like my support to go on record. Please include my comments in the hearings records. Thank you.

Sincerely,
Erica D. Hobbs
(Erica D. Hobbs)
Mult. Co. Portland, Oregon

KEEP UP THE GOOD WORK!!!!

APR 05 1983

P.O. Box 256
Oceanside, Oreg.
97134

April 2, 1983

Dear Senator Hatfield

I support the Packwood/Hatfield bill (S627) introduced in the Senate by you and Senator Packwood, and in the House by U.S. Representatives AuCoin and Weaver.

I ask that this letter be included in the hearings records.

I feel the Columbia River gorge is unique and irreplaceable. It should be preserved for future generations. Your bill will also create a positive factor in strengthening the economy of the gorge and the entire region also. I feel it is a fair compromise between need for scenic protection and economic development/ private property rights protection.

Sincerely

Ida E. Jensen

3/22/83

Senator Mark Hatfield
Senate Ofc. Bldg.
Washington, D.C. 20510

Dear Mr. Hatfield:

Please include this letter in the hearings records on the Packwood/Hatfield bill S627. We are strongly supporting this bill to preserve for the future the beauty of the Columbia River Gorge and for the Creation of the growth of tourism which will result if preserved.

Thank You,

Linda K. Steiner
Al Steiner
9165 S.W. Elrose Ct.
Tigard, Or. 97223

Gresham, OR.
Mar. 23, 1983

Dear Senator Hatfield,

As someone who has lived all their life close to the Gorge area of the Columbia River, I'm writing to support your bill (S 627). The Gorge is utterly unique not-only for it's scenic beauty, but for flora and fauna found nowhere else in the world.

I've long been irritated by the smoke from Crown-Zellerbach's mill at Camas, but they inform me, in answer to my complaints, that they have removed the pollution from the smoke but are unable to remove the obnoxious smell. This certainly detracts from the beauty of the Gorge in this particular area.

Please include this letter in the hearings record on the above bill.

Respectfully yours,
Grace Busse

From the desk of —
STEVE ROSENBERG

SMITH • RITCHIE
INDUSTRIAL, COMMERCIAL AND
INVESTMENT REAL ESTATE

DEAR SENATOR HATFIELD,

I STRONGLY SUPPORT THE PACKWOOD/HATFIELD (S627) WHICH WOULD CREATE A SCENIC AREA IN THE COLUMBIA GORGE.

I AM A FREQUENT RECREATIONAL USER AND BELIEVE THIS BILL BEST SUPPORTS THE LONG TERM INTERESTS OF RECREATIONISTS + BUSINESS.

I REQUEST THAT THIS LETTER BE INCLUDED IN THE APRIL 9 HEARINGS RECORD.

Steve Rosenberg
LANDSING CORP.
811 SW FRONT
PORTLAND, OR
97204

5467 SE LINCOLN
PORTLAND, OR
97215

Mrs. Tom W. Bonner
199 E Avenue, Apt. 202
Lake Oswego, Oregon 97034

March 23, 1983

Dear Senator Hatfield,

I would like to express my appreciation and full support of the Packwood/Hatfield bill (S627). Your efforts to establish a Columbia River Gorge National Scenic Area will preserve for us and for future generations a beautiful and unique region. Please accept my personal thanks and admiration and add my letter to the records in support off this bill. Sincerely,

Jane P. Bonner

Mark Hatfield:

I am much encouraged by your National Scenic Bill S627 to protect the Columbia Gorge, I feel without such protection we will lose this beautiful stretch of country to special interests who favor development rather retaining its natural beauty.

Preserving the Gorge will benefit many rather than a few. My wife recently gave birth to a 8 lb girl. She and other future generations have the right to enjoy the Gorge as we presently do.

Please include my thoughts in the S627 hearings records.

thank you,
Jerry T. Drake

1840 SW Wellington
Portland OR 97225
March 27, 1983

Senator Mark Hatfield
Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Hatfield:

I strongly support Bill S627 creating a Columbia River Gorge National Scenic Area. The Gorge is one of the most beautiful and impressive natural wonders in the United States and its beauty is currently endangered by suburban sprawl. Creation of a National Scenic Area will strengthen the economy of the area — which certainly needs help — while preserving its beauty for current and future generations.

Please include this letter in the hearing records. Let us save the gorge!

Sincerely,

Yvonne M. Lyles MD
David B. Knutton

March 24, 1983

Senator Mark Hatfield
Washington, D.C. 20510

Dear Senator Hatfield:

In support of the Packwood/Hatfield bill S 627, I would like my comment to be used in the hearings records.

I have lived in Portland most of my 54 years and have marvelled at the beauty and grandeur of our Columbia Gorge.
It is imperative that this beautiful area be retained in its natural state for all, and for all generations to come, to enjoy, to inspire, and to provide recreation.

Respectfully,
David Knight

David F. Knight
6415 S. E. Morrison Street
Portland, OR 97215

Mrs. William Maxwell Wood
5824 S. W. Riverpoint Lane
Portland, Oregon 97201

March 25, '83

Dear Senator Hatfield:

I am delighted you have put your considerable weight behind protection of the Columbia Gorge, and agree that Federal action is needed.

Being unable to attend the hearings on S627 this morning, I request this letter be recognized in the hearings record.

Cordially -

Anne Parker Wood

P.S. Having come from the high, wide, and dusty prairies of Texas, I am thankful every day for life amid such beauties as the gorge - and hope my grandchildren can enjoy them too. Surely we need such humanizing support in our nuclear world - AW

827-6th St
Lake Oswego, Oregon
March 25, 1983

Senator Mark Hatfield
Senate Office Bldg
Washington D.C.

Dear Senator Hatfield,

We are extremely interested in the protection of the Columbia Gorge from encroachment. On a recent drive from Portland to Hood River we were shocked by the inroads that are being made.

In all our travels we have never seen a more spectacular array of scenery. And one can get right down to the waterfalls and enjoy the sights and sounds and smells of that beautiful area.

We commend your efforts and support your bill. Please include this letter in your hearing records.

Very truly yours,

Ruth Delaney

Hello Senator Hatfield,

THANKyou For holding hearing on Columbia Gorge National scenic area Bill. I strongly support S627.

This designation will strengthen the economy of the Gorge region with increase in tourism and growth within urban boundaries.

Please include my comments in hearings Record.

THANK you

W Fulton

March 21, 1983
6205 N.E. Cleveland
Portland, OR. 97211

Dear Senator Hatfield,

I am writing to express my support of the Columbia River Gorge National Scenic Area Bill (S627).

I feel that the Gorge is a unique natural area. Such areas are part of the reason I moved to Oregon 9 years ago. Not only will the (S627) bill help protect such irreplaceable areas, but it will strengthen our economy through the growth of tourism.

I believe the bill to represent a fair compromise between the need for scenic protection and economic development + private property rights protection.

Please include my letter in the hearings records. Thank you for introducing the bill, also.

Sincerely,
Linda Brosnan

3/23/83

Senator Mark Hatfield
Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Hatfield,

I am writing to you in support of the Packwood/Hatfield Bill (S267), and would like to have my letter be included in the hearing records.

I am extremely concerned about the future of the Columbia Gorge area, and feel that it is imperative that its scenic beauty and wilderness by preserved for for future generations to appreciate and experience, and not spoiled and ravaged by private development interests.

Although I am an an Oregonian, I lived in Southern California for 25 years and have witnessed with great sadness what has happened there to so many beautiful, scenic and wilderness places I explored years ago, before the onslaught of all the big money private interest developers, who have ruined them beyond repair forever. I do NOT want to see this happen here in Oregon so that the Gorge will only be a memory I tell my grandchildren about.

Please continue to support this legislation, and also, please do not allow anyone to reduce the number of acres to be protected in the bill.

Thank you.

Sincerely,

Nancy R. Ayres
5920 S.W. Erickson #12
Beaverton, OR 97005

March 21, 1983

Dear Senator Hatfield,

I am writing to thankyou for introduc
The Columbia River Gorge National Scenic A
Bill (S627).

The bill seems to be a fair compromis
between the need for scenic protection and
economic/private property protection. Such a
compromise has long been needed.

I have hiked many of the trails in the
Gorge and am always amazed at the unique
beauty I find there. The Passage of this
bill would assure future generation of the
experience I enjoy so often.

Please include my letter in the hearings
records if that will be helpful. and continue
your work for protection of the Columbia
River Gorge.

Thank you for your attention

Lisa Teutsch

Lisa Teutsch
26 SE 26
Portland OR
97214

March 21, 1983

The Honorable Mark O. Hatfield
United States Senate
Senate Office Building
Washington, D.C. 20510

Dear Senator Hatfield:

I would like to congratulate you for introducing S627 to protect the Columbia River Gorge. The unique natural resources of the proposed area are unquestionable worthy of preservation. Developers and private property owners do not have the right to exploit these lands without restrictions. Your bill is a fair compromise between economic development and scenic/fauna/floral resources that are our heritage. Please do not allow it to be weakened on the Senate floor.

Thanks again for your leadership in this matter, please include my comments in the hearing's records.

Sincerely,

Michael Madias
6942 N.E. Cleveland
Portland, OR 97211